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Vol. 84

No. 1

Tuesday, January 3, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, January 3, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Nancy G. Walker presiding.

CALLING THE ROLL

The meeting was called to order at 2:08 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Britt, Gonzalez, Kennedy, Maher, Molinari, Silver, Walker, Ward - 8.

Noted absent at first roll call:

Supervisors Nelder, Hongisto, Hsieh - 3.

Quorum present.

Supervisor Hongisto was noted present at 2:13 p.m.

Supervisor Hsieh was noted present at 2:15 p.m.

Supervisor Nelder excused. (See infra.)

Supervisor Nelder Excused

The President announced that Supervisor Nelder had requested to be excused from attendance today.

Supervisor Maher, seconded by Supervisor Ward, moved to excuse Supervisor Nelder from attending today's meeting.

Motion carried by the following vote:

Ayes: Supervisors Britt, Gonzalez, Kennedy, Maher, Molinari, Silver, Walker, Ward - 8.

Absent: Supervisors Hongisto, Hsieh, Nelder - 3.

APPROVAL OF JOURNAL

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There being no errors, corrections or omissions, Supervisor Maher, seconded by Supervisor Silver, moved that the Journal of Proceedings for Monday, July 18, 1988, be approved.

Motion carried by the following vote:

Ayes: Supervisors Britt, Gonzalez, Kennedy, Maher, Molinari, Silver, Walker, Ward - 8.

Absent: Supervisors Hongisto, Hsieh, Nelder - 3.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$1,930,400, Clean Water, for capital improvement projects (Oceanside Water Pollution Control Plant Sound Berm), for fiscal year 1988-89. (Controller)

File 101-88-56. Ordinance No. 2-89

Finally passed.

[Government Funding]

Ordinance appropriating \$400,000 Chief Administrative Officer, for capital improvement project (City's Seismic Retrofit Program) for fiscal year 1988-89, placing in reserve \$120,000. (Supervisors Walker, Hsieh)

File 101-88-57. Ordinance No. 3-89

Finally passed.

[Hotel Conversion Fee Schedule]

Ordinance amending Administrative Code, relating to fee schedules. (Department of Public Works)

File 97-88-78. Ordinance No. 1-89

(Amends Section 41.8.)

Finally passed.

[BB1 Fee Schedule]

Ordinance amending Building Code, relating to fee schedules and sidewalk fees. (Department of Public Works)

Tuesday, January 3, 1989

File 114-88-13, Ordinance No. 4-89

(Amends Sections 108, 203, 204, 301, 302, 303, 304, 305, 307, 308, 311, 312, 313, 316, 317, 318, 319, 321, 322, 323, 324, 325, 326 and 328; Adds new Sections 330 to 334 inclusive; repeals Section 327.)

Finally passed.

[Electrical Fees]

Ordinance amending Electrical Code, relating to fee schedules and setting effective date. (Department of Public Works)

File 116-88-1, Ordinance No. 5-89

(Amends Sections 90-21, 90-25, 90-26, 90-27, 90-37, 90-42, 90-53 and 90-65; adds Sections 90-58 and 90-59; repeals Section 90-80.)

Finally passed.

[Plumbing Fees]

Ordinance amending Plumbing Code, by eliminating the fee schedule, prepaid gas appliance permits and requirements for certified gas appliance dealers. (Department of Public Works)

File 120-88-1, Ordinance No. 6-89

(Amends Sections C1, C3 through C7 inclusive, C8, C9, C10, D5.2, D5.3, D5.12, D5.13, D8.4, D8.5, D8.6 and E1, adds Sections D3.1 and 318.E; repeals Sections C7.1, C8.1, D8.5-1, E2, E2.1, E2.2, E4 and E.5.)

Finally passed.

[Housing Fee Schedule]

Ordinance amending Housing Code, relating to fee review, and amending Part III of the Municipal Code by repealing Sections 86 and 160 thereof, relating to fee schedules. (Department of Public Works)

File 125-88-2, Ordinance No. 7-89

(Adds Housing Code Sections 307.A and 307.B; amends Sections 351.5, 351.6, 1216.1; repeals Section 351.7.)

Finally passed.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$112,200. Parking Authority, for capital improvement project (Diamond Market Parking Facility); for fiscal year 1988-89. (Controller).

File 101-88-59, Ordinance No.

Passed for second reading.

Recommendations of Governmental Operations Committee

Adopted

[Parking of Vehicles]

Resolution extending boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding portion of Twentieth, Collingwood and Eureka Streets to the list of streets upon which time limitations shall apply. (Department of Public Works)

File 40-88-21, Resolution No. 8-89

Adopted.

[Parking of Vehicles]

Resolution extending boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding portion of Hartford Street to the list of streets upon which time limitations shall apply. (Department of Public Works)

File 40-88-22, Resolution No. 9-89

Adopted.

[Parking of Vehicles]

Resolution adding portions of Twelfth Avenue and Magellan Avenue to the list of streets upon which time limitations shall apply in Residential Permit Parking Area "T" and deleting portion of Twelfth Avenue from list of streets in Buffer Zone "OT". (Supervisor Hsieh)

File 40-88-23, Resolution No. 10-89

Adopted.

[Lease of Real Property]

Resolution authorizing a new lease of real property at 1111 Market Street with Hans-Wolfgang Hoenninger, as Lessor, on a month-to-month basis for the Department of Public Health for administrative, research and surveillance purposes in connection with the AIDS Program. (Real Estate Department)

Tuesday, January 3, 1989

File 64-88-36, Resolution No. 12-89

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Division of Mental Health, Substance Abuse and Forensics, to apply for, accept and expend an grant of \$230,000 from the Department of Mental Health, State of California, for services to the homeless mentally disabled individuals of San Francisco. (Department of Public Health)

File 146-88-72, Resolution No. 23-89

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health, CHDP), to accept and expend funds in the total amount of \$685,218 from the State Department of Health Services for Child Health and Disability Prevention Services. (Department of Public Health)

File 146-88-73, Resolution No. 24-89

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Britt, Gonzalez, Kennedy, Maher, Molinari, Silver, Walker, Ward - 8.

Absent: Supervisors Hongisto, Hsieh, Nelder - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Adopted

[Findings]

Motion adopting findings related to the appeal of the decision of the Director of Public Works approving Parcel Map of proposed subdivision of Lot 19 into two lots of property located at 3277 Pacific Avenue, Assessor's Block 973, Lot 19.

File 59-88-4.4

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Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Kennedy, Maher, Molinari, Silver, Walker, Ward - 8.

Absent: Supervisors Hongisto, Hsieh, Nelder - 3.

Recommendation of Finance Committee

Consideration Continued

[Constitutional Amendment]

Resolution supporting the amendment to the State Constitution proposed by the Board of Directors of the County Supervisors Association of California entitled "Local Government Fiscal Stability Amendment". (Supervisor Kennedy)

File 12-88-27, Resolution No.

Supervisor Kennedy, seconded by Supervisor Gonzalez, moved to continue consideration to January 23, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Kennedy, Maher, Molinari, Silver, Walker, Ward - 8.

Absent: Supervisors Hongisto, Hsieh, Nelder - 3.

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution affirming retention of Supervisor Doris Ward as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Rules Committee)

File 92-88-59, Resolution No. 15-89

Supervisor Ward Excused from Voting

Supervisor Britt, seconded by Supervisor Maher, moved to excuse Supervisor Ward from voting.

Motion to excuse Supervisor Ward from voting adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Kennedy, Maher, Molinari, Silver, Walker, Ward - 8.

Absent: Supervisors Hongisto, Hsieh, Nelder - 3.

Tuesday, January 3, 1989

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Kennedy, Maher, Molinari, Silver, Walker - 7.

Excused: Supervisor Ward - 1.

Absent: Supervisors Hongisto, Hsieh, Nelder - 3.

[Appointment]

Resolution appointing member to the Board of Directors, Golden Gate Bridge, Highway and Transportation District, effective January 8, 1989. (Rules Committee)

File 92-88-60, Resolution No. 16-89

(Supervisor Richard Hongisto, vice Supervisor John L. Molinari, resigned.)

Supervisor Hongisto Excused from Voting.

Supervisor Britt, seconded by Supervisor Silver, moved to excuse Supervisor Hongisto from voting.

Motion to excuse Supervisor Hongisto from voting adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hongisto, Kennedy, Maher, Molinari, Silver, Walker, Ward - 9.

Absent: Supervisors Hsieh, Nelder - 2.

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Kennedy, Maher, Molinari, Silver, Walker, Ward - 8.

Excused: Supervisor Hongisto - 1.

Absent: Supervisors Hsieh, Nelder - 2.

[Appointment]

Resolution appointing member to the Board of Directors, Golden Gate Bridge, Highway and Transportation District, effective January 8, 1989. (Rules Committee)

File 92-88-61, Resolution No. 17-89

(Supervisor Wendy Nelder, vice Supervisor Carol Ruth Silver, resigned.)

Adopted by the following vote:

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Ayes: Supervisors Britt, Gonzalez, Hongisto, Kennedy, Maher, Molinari, Silver, Walker, Ward - 9.

Absent: Supervisors Hsieh, Nelder - 2.

[Appointments]

Resolution affirming retention of members appointed by the Board of Supervisors as members of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Rules Committee)

File 92-88-62, Resolution No.

(Stephen Leonoudakis, vice himself;
James Bronkema, vice himself;
Robert McDonnell, vice himself;
Robert A. Ross, vice himself.)

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 10.

Absent: Supervisor Nelder - 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$555,982, Public Health, Community Mental Health Services, for permanent salaries - miscellaneous - nurses, holiday pay, temporary salaries - nurses and related mandatory fringe benefits, other contractual services, telephone, materials and supplies, equipment, services of other departments - electricity, reproduction and medical services contracts for the creation of 24 positions. (Supervisor Walker)

File 101-88-58, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Kennedy, Maher, Molinari, Walker, Ward - 7.

Absent: Supervisors Britt, Hongisto, Nelder, Silver - 4.

[Public Employment]

Ordinance amending Ordinance No. 269-88 (Annual Salary Ordinance) reflecting the addition of twenty-four positions in the Department

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of Public Health, Community Mental Health Services; companion measure to File 101-88-58. (Supervisor Walker)

File 102-88-25, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Kennedy, Maher, Molinari, Walker, Ward - 7.

Absent: Supervisors Britt, Hongisto, Nelder, Silver - 4.

[Government Funding]

Ordinance appropriating \$200,000, Port Commission, for professional services, for fiscal year 1988-89; subject of a previous budgetary denial; placing in reserve \$200,000. (Controller)

File 101-88-60, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 9.

Absent: Supervisors Hongisto, Nelder - 2.

Adopted

[Immediate Filling]

Resolution approving immediate filling of vacated position of 1682 Controller, Controller's Office. (Controller).

File 31-88-21, Resolution No. 6-89

Adopted by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Kennedy, Maher, Molinari, Walker, Ward - 7.

Absent: Supervisors Britt, Hongisto, Nelder, Silver - 4.

[Settlement of Claim]

Resolution authorizing settlement of claims for delinquent unsecured personal property taxes by accepting the sum of \$14,000 and discharging the Tax Collector from collecting the balance. (Office of the Treasurer)

File 49-88-4, Resolution No. 11-89

Adopted by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Kennedy, Maher, Molinari, Walker, Ward - 7.

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Absent: Supervisors Britt, Hongisto, Nelder, Silver - 4.

[Hold Harmless Provision Extension]

Resolution approving the extension of a Household Hazardous Waste Collection Program Agreement between Sanitary Fill Company, the Health Commission and the Chief Administrative Officer, including a hold harmless provision contained therein. (Chief Administrative Officer)

File 128-88-2, Resolution No. 21-89

Adopted by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Kennedy, Maher, Molinari, Walker, Ward - 7.

Absent: Supervisors Britt, Hongisto, Nelder, Silver - 4.

[Findings of Fact Fee]

Resolution increasing Findings of Fact fee of the Assessment Appeals Board. (Assessment Appeals Board)

File 129-88-1, Resolution No. 22-89

Adopted by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Kennedy, Maher, Molinari, Walker, Ward - 7.

Absent: Supervisors Britt, Hongisto, Nelder, Silver - 4.

[Jurisdictional Transfer]

Resolution transferring jurisdiction from the Real Estate Department to the Public Library Commission of Lot 1 in Assessor's Block 354 known as Marshall Square for Public Library use; and to adopt findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 224-88-6, Resolution No. 25-89

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 9.

Absent: Supervisors Hongisto, Nelder - 2.

Recommendations of Governmental Operations Committee

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Passed for Second Reading

[Terminal Revenue Sharing Agreement]

Ordinance approving the Third Amendment of the Terminal Revenue Sharing Agreement between Evergreen Marine Corp. (Taiwan) Ltd., and the City and County acting by and through the Port Commission. (Port Commission)

File 189-88-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 9.

Absent: Supervisors Hongisto, Nelder - 2.

Adopted

[Street - Map Approval]

Resolution approving map showing the extension of Key Avenue southeasterly of Jennings Street, and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 35-88-2, Resolution No. 29-89

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 9.

Absent: Supervisors Hongisto, Nelder - 2.

[Grant - Federal Funds]

Resolution approving the 1989 Five-Year Federal Aid Urban Program in the City and County of San Francisco. (Department of Public Works)

File 87-88-1, Resolution No. 13-89

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 9.

Absent: Supervisors Hongisto, Nelder - 2.

[Employee Relations]

Resolution ratifying Memorandum of Understanding with the Laborers International Union, Local 261. (Employee Relations Division)

File 93-88-17, Resolution No. 20-89

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Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 9.

Absent: Supervisors Hongisto, Nelder - 2.

Recommendations of Rules Committee

Adopted

(Supervisor Walker excused from Voting in Committee.)

[Appointment]

Resolution affirming retention of Supervisor Nancy G. Walker, as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Rules Committee)

File 92-88-57, Resolution No. 14-89

Appointment of President Pro Tempore

At the request of the President, Supervisor Molinari assumed the Chair.

Supervisor Walker Excused from Voting

Supervisor Molinari, seconded by Supervisor Maher, moved to excuse Supervisor Walker from voting.

Motion to excuse Supervisor Walker from voting adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 10.

Absent: Supervisor Nelder - 1.

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Molinari, Silver, Ward - 9.

Excused: Supervisor Walker - 1.

Absent: Supervisor Nelder - 1.

The President reassumed the Chair.

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[Appointment]

Resolution appointing representative of the Board of Supervisors to the Economic Opportunity Council. (Supervisor Molinari)

File 92-88-63, Resolution No. 19-89

(Supervisor Willie B. Kennedy, vice Supervisor John L. Molinari.)

Ayes: Supervisors Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 10.

Absent: Supervisor Nelder - 1.

Recommendation of Human Services Committee

Passed for Second Reading as Amended

[Health Care Costs]

Ordinance amending Administrative Code to establish a regional advisory committee to improve State and Regional financing options for uninsured and underinsured residents of five bay area counties. (Supervisors Hsieh, Kennedy, Silver, Ward)

File 313-88-1, Resolution No.

(Adds Section 19A.30.)

Supervisor Kennedy, seconded by Supervisor Maher, moved to amend page three, line one by inserting "San Francisco" after the word "one".

Motion to amend adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 10.

Absent: Supervisor Nelder - 1.

Passed for second reading as amended by the following vote:.

Ayes: Supervisors Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 10.

Absent: Supervisor Nelder - 1.

From the Clerk

Adopted

[Condominium]

Motion approving final map of 1150 Sacramento Street, a condominium project, being a resubdivision of Lots 11, 33, 34, 44 and 45 in Assessor's Block 222, and adopting findings pursuant to City

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Planning Code Section 101.1. (Department of Public Works)

File 58-88-37

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 10.

Absent: Supervisor Nelder - 1.

[Condominium]

Motion approving final map of Morgan Heights, a condominium project, being a resubdivision of Lot 5 in Assessor's Block 4591A, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-88-38

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 10.

Absent: Supervisor Nelder - 1.

[Subdivision Map]

Motion approving final map of Ocean Beach, being a portion of Richmond Block No. 332A, also being a portion of Assessor's Block 1595, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-88-39

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 10.

Absent: Supervisor Nelder - 1.

SPECIAL ORDER - 4:00 P.M.

Adopted

[Commendation]

Resolution commending and honoring John C. Farrell for his distinguished service as Controller of the City and County of San Francisco. (Supervisor Molinari)

File 4-88-18, Resolution No. 3-89

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Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 10.

Absent: Supervisor Nelder - 1.

PRESENTATION MADE

Supervisor Molinari made brief remarks expressing appreciation to John C. Farrell for the service rendered to the City and County during his tenure as Controller and read the following resolution:

COMMENDING AND HONORING JOHN C. FARRELL FOR HIS DISTINGUISHED SERVICE AS CONTROLLER OF THE CITY AND COUNTY OF SAN FRANCISCO.

WHEREAS, John C. Farrell has served the people of the City and County of San Francisco with intelligence, integrity, and devotion for thirty-four years; and

WHEREAS, John C. Farrell was appointed Controller by Mayor Joseph L. Alioto in 1974 and will conclude his service of over fourteen years as Controller on January 6, 1989; and

WHEREAS, During Mr. Farrell's tenure as Controller the City faced and successfully handled many difficult fiscal problems, including the implementations of and the ramifications of the provisions of Proposition 13 and subsequently the provisions of Proposition 4; and

WHEREAS, Mr. Farrell's administrative style was characterized by professionalism, openness, impartiality and commitment to personally informing each of the members of the Board of Supervisors as to the facts and findings of the Controller's Office, whether or not they were to their liking; and

WHEREAS, Under his guidance, the City successfully modernized its financial and reporting system, which led to the City being awarded the "Certificate of Achievement for Excellence in Financial Reporting" from the Government Finance Officers Association for the last six fiscal years; thereby assuring the City favorable bond ratings; now, therefore, be it

RESOLVED, That the members of the Board of Supervisors, on behalf of the officers, employees, and citizens of this City, do hereby take public recognition of the distinguished contributions which John C. Farrell has made to the fiscal integrity and general welfare of this community, and do express to him their appreciation for his high quality work and wish him the best in retirement; and be it

FURTHER RESOLVED, That a suitably engrossed copy of this resolution be tendered to John C. Farrell as a token of the great affection and esteem in which he is held by the members of the Board of Supervisors.

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The Chair then recognized Controller John Farrell.

Controller John Farrell addressed the Board and thanked Supervisor Molinari for his kind words. In addition he thanked his wife and children for their support throughout his 34 years as a public civil servant, Mayor Joseph Alioto for appointing him as Controller and the Board members who confirmed his appointment in which Supervisor Molinari is the only remaining member on the Board. He expressed special thanks to his department for their support over the 14 years in balancing the books, handling the budget, \$2 million in federal and state grants, getting the payroll out on time, paying bills on time, submitting federal and state reports in a timely fashion. He thanked all other City department heads, boards and commissions and the 50 members of the Board of Supervisors he has worked with over the years. He gave brief remarks as to his plans for the future and indicated if anyone needs help, he will be available.

Supervisors Walker, Hongisto, Gonzalez, Ward, Maher and Hsieh made brief remarks in appreciation of Mr. Farrell's dedication, integrity and diligent service to the City and County of San Francisco and wished him happiness and good health in his retirement.

[Commendation]

Resolution commending and honoring Carol Ruth Silver for her distinguished service as Supervisor of the City and County of San Francisco. (Supervisor Walker)

File 4-88-19. Resolution No. 2-89

Supervisor Silver Excused from Voting.

Supervisor Molinari, seconded by Supervisor Ward, moved to excuse Supervisor Silver from voting.

No objection and motion carried.

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Molinari, Walker, Ward - 9.

Excused: Supervisor Silver - 1.

Absent: Supervisor Nelder - 1.

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PRESENTATION MADE

Supervisor Walker presented and read the following resolution:

COMMENDING AND HONORING CAROL RUTH SILVER FOR HER DISTINGUISHED SERVICE AS A MEMBER OF THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

WHEREAS, Carol Ruth Silver has served the people of the City and County of San Francisco with intelligence, energy and devotion for eleven years as a member of its Legislative Body and is currently the second most senior member of the Board; and

WHEREAS, Carol Ruth Silver brought to the Board of Supervisors a special interest in working to assist individuals, with special efforts in both San Francisco and on a national level concerning such critical matters as obtaining equal rights, decriminalization of homosexuality, ending the Vietnam War, promoting the right of choice, and controlling nuclear energy, and

WHEREAS, Carol Ruth Silver, with a special interest in improving transportation in the Bay Area, has also served with skill on the Metropolitan Transportation Commission, and on the Golden Gate Bridge Board of Directors, of which she is now the President; and

WHEREAS, At high noon on the eighth day of January in the year 1989 Carol Ruth Silver will conclude her service of eleven years on the Board of Supervisors, and will retire, at least temporarily, from elective office; and

WHEREAS, Supervisor Silver has provided to the people of this community and to her colleagues on the Board great talent, human compassion, and thoughtful analysis; and

WHEREAS, Over the past eleven years Supervisor Silver has provided energetic service as chair of the Finance and other committees, and as an effective member of the Board, bringing high level skill to help resolve very complex and important issues; and

WHEREAS, Ten of the members of this Board have never served on the Board without the membership of Carol Ruth Silver on the Board, and will greatly miss her skillful questioning and her talent in debate; now, therefore, be it

RESOLVED, That the members of the Board of Supervisors, on behalf of the officers, employees, and citizens of this City, do hereby take public recognition of the distinguished contributions which Carol Ruth Silver has made to the welfare of this community and to this nation, and do express to her their appreciation for her high quality work, their thanks for her presence, and their hopes for her future; and, be it

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FURTHER RESOLVED, That a suitably engrossed copy of this resolution be tendered to Supervisor Carol Ruth Silver as a token of the great affection and respect in which she is held by the Board of Supervisors.

Supervisors Walker, Britt, Hongisto, Kennedy, Ward, Maher and Hsieh gave brief remarks concerning their affection and admiration for Supervisor Silver for the service rendered to the City and County of San Francisco during her tenure.

Supervisor Silver thanked her colleagues and indicated her sadness in leaving office but, on the other hand, looks forward to new challenges and new opportunities. She introduced her youngest son, Ernest, and thanked her many friends present to cheer her as she goes forward in the private world.

[Commendation]

Resolution commending Supervisor John L. Molinari for his distinguished service as Supervisor of the City and County of San Francisco. (Supervisor Walker)

File 4-88-20, Resolution No. 1-89

Supervisor Molinari Excused for Voting

Supervisor Silver, seconded by Supervisor Britt, moved to excuse Supervisor Molinari from voting.

No objection and motion carried.

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Silver, Walker, Ward - 9.

Excused: Supervisor Molinari - 1.

Absent: Supervisor Nelder - 1.

PRESENTATION MADE

Supervisor Walker presented and read the following resolution:

COMMENDING AND HONORING JOHN L. MOLINARI FOR HIS
DISTINGUISHED SERVICE AS A MEMBER OF THE BOARD OF
SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

WHEREAS, John L. Molinari has served the people of the City and County of San Francisco with intelligence, energy and devotion for seventeen years as a member of its Legislative Body, the sixth longest tenure of the hundreds of Supervisors in the 138 year history of this City; and

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WHEREAS, John L. Molinari, known as "The Dean" because of his long seniority on the Board, has been elected President of the Board of Supervisors five times; and

WHEREAS, John L. Molinari has also served with skill on the Civil Service Commission, the Golden Gate Bridge Board of Directors, the Retirement Board, and the Health Service Board; and

WHEREAS, At high noon on the eighth day of January in the year 1989 John L. Molinari will conclude his service to the City, capped by seventeen years on the Board of Supervisors, and will retire, at least temporarily, from public life; and

WHEREAS, Supervisor Molinari has provided to the people of this community and to his colleagues on the Board impressive ability, keen perception and comprehensive insight; and

WHEREAS, Over the past seventeen years Supervisor Molinari has provided superb service as President of the Board, as chair of the Finance and other committees, and as an effective member of the Board, bringing exceptional skill to help resolve very complex and important issues; and

WHEREAS, Members of this Board, never having served on the Board without the membership of John L. Molinari on the Board, always finding him of great help in deliberations, cannot imagine the Board without him as a member; now, therefore, be it

RESOLVED, that the members of the Board of Supervisors, on behalf of the officers, employees, and citizens of this City, do hereby take public recognition of the distinguished contributions which John L. Molinari has made to the welfare of this community, and do express to him their appreciation for his high quality work, their thanks for his presence, and their hopes for his future; and, be it

FURTHER RESOLVED, That a suitably engrossed copy of this resolution be tendered to Supervisor John L. Molinari as a token of the great affection and respect in which he is held by the Board of Supervisors.

Supervisors Walker, Hongisto, Ward, Gonzalez, Maher, Hsieh and Kennedy praised Supervisor Molinari for his years of dedicated service to the City and County, for giving new members to the Board of Supervisors the benefit of his knowledge, experience, wisdom and guidance, for bringing various groups together however antagonistic they were against each other and wished him best wishes as he closes this door and open another.

Supervisor Molinari thanked his many friends for being here today and introduced the following members of his family: wife, Louise Molinari; son, John Molinari; mother and father, John and Helen Molinari; and sister, Vicky and her husband. He

also recognized one other person who was present when he was first sworn in as Supervisor, Sam Ledare. He thanked his current staff, Ruth Mordokowicz and Tom Debrauske, and former ones for serving him well over the years. He thanked the Clerk of the Board and his staff, department heads and Harvey Rose for their help and support. He expressed happiness for the kind words from his colleagues and reminded them that this legislative body is an independent arm of the government and urged the Board to maintain that independence.

REPORTS OF COMMITTEE

From Land Use Committee Without Recommendations

Adopted

[Final Negative Declaration - Neighborhood Conservation]
Resolution adopting Final Negative Declaration, finding and determining that Neighborhood Conservation Interim Controls governing alterations and new construction within all residential districts (excluding Residential-Commercial Districts and the Bernal Heights Special Use District) with a height limit of 40 feet or less and the demolition of single and two-family residential buildings in RH-1, RH-1(D), RH-1(S) and RH-2 Use Districts, excluding the Bernal Heights Special Use District, and reclassifying portions of blocks in the area bounded by Lake Street, Forty-Eighth Avenue, Fulton Street and Arguello Boulevard; the area bounded by Lincoln Way, The Great Highway, Ulloa Street and Nineteenth Avenue; and the area bounded by Lincoln Way, Frederick Street, Stanyan Street, Parnassus Avenue and Third Avenue from RH-3 and RM Zoning Districts to an RH-2 Zoning District will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Department of City Planning)

File 36-88-11, Resolution No. 7-89

Supervisor Ward presented from Land Use Committee without recommendation.

Supervisor Silver Excused From Voting

On advice of the City Attorney, Supervisor Silver requested to be excused from voting because of possible conflict of interest.

There being no objection, on motion by Supervisor Kennedy, seconded by Supervisor Gonzalez, Supervisor Silver was excused from voting.

The roll was then taken on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hongisto, Maher, Walker, Ward - 6.

Noes: Supervisors Hsieh, Kennedy, Molinari - 3.

Tuesday, January 3, 1989

Excused: Supervisor Silver - 1.

Absent: Supervisor Nelder - 1.

(Only one of the two following resolutions should be adopted)

Tabled

[Interim Reclassification - Lake Street]

Resolution ratifying City Planning Commission Resolution No. 11476 imposing interim controls to reclassify portions of blocks in the area bounded by Lake Street, Forty-Eighth Avenue, Fulton Street and Arguello Boulevard; the area bounded by Lincoln Way, The Great Highway, Ulloa Street and Nineteenth Avenue; and the area bounded by Lincoln Way, Frederick Street, Stanyan Street, Parnassus Avenue and Third Avenue from RH-3 and RM Zoning Districts to an RH-2 Zoning District. (Department of City Planning)

File 111-88-10. Resolution No.

Supervisor Ward presented from Land Use Committee without recommendation.

Supervisor Maher Excused From Voting

On advice of the City Attorney, Supervisor Maher requested to be excused from voting because of possible conflict of interest.

There being no objection, on motion by Supervisor Britt, seconded by Supervisor Ward, Supervisor Maher was excused from voting.

Supervisor Silver Excused From Voting

On advice of the City Attorney, Supervisor Silver requested to be excused from voting because of possible conflict of interest.

There being no objection, on motion by Supervisor Kennedy, seconded by Supervisor Gonzalez, Supervisor Silver was excused from voting.

Refused adoption by the following vote:

Ayes: Supervisors Britt, Hongisto, Hsieh, Walker - 4.

Noes: Supervisors Gonzalez, Kennedy, Molinari, Ward - 4.

Excused: Supervisors Maher, Silver - 2.

Absent: Supervisor Nelder - 1.

Tuesday, January 3, 1989

Supervisor Hsieh, seconded by Supervisor Molinari, moved to rescind the previous vote.

No objection and motion carried.

Supervisor Ward, seconded by Supervisor Molinari, moved to table.

Tabled by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Kennedy, Molinari, Ward - 5.

Noes: Supervisors Britt, Hongisto, Walker - 3.

Excused: Supervisors Maher, Silver - 2.

Absent: Supervisor Nelder - 1.

Refused Adoption

[Interim Reclassification - Lake Street]
Resolution disapproving City Planning Commission Resolution No. 11476 imposing interim controls to reclassify portions of blocks in the area bounded by Lake Street, Forty-Eighth Avenue, Fulton Street and Arguello Boulevard; the area bounded by Lincoln Way, The Great Highway, Ulloa Street and Nineteenth Avenue; and the area bounded by Lincoln Way, Frederick Street, Stanyan Street, Parnassus Avenue and Third Avenue from RH-3 and RM Zoning Districts to an RH-2 Zoning District. (Department of City Planning)

File 111-88-10.1. Resolution No.

Supervisor Ward presented from Land Use Committee without recommendation.

Supervisor Maher Excused From Voting

On advice of the City Attorney, Supervisor Maher requested to be excused from voting because of possible conflict of interest.

There being no objection, on motion by Supervisor Britt, seconded by Supervisor Ward, Supervisor Maher was excused from voting.

Supervisor Silver Excused From Voting

On advice of the City Attorney, Supervisor Silver requested to be excused from voting because of possible conflict of interest.

There being no objection, on motion by Supervisor Kennedy, seconded by Supervisor Gonzalez, Supervisor Silver was excused from voting.

Tuesday, January 3, 1989

Refused adoption by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Kennedy, Molinari, Ward - 5.

Noes: Supervisors Britt, Hongisto, Walker - 3.

Excused: Supervisors Maher, Silver - 1.

Absent: Supervisor Nelder - 1.

(Only one of the two following resolutions should be adopted.)

[Interim Controls - Neighborhood Conservation]

Resolution ratifying City Planning Commission Resolution No. 11475 imposing interim controls governing alterations and new construction within all residential districts (excluding Residential-Commercial Districts and the Bernal Heights Special Use District) with a height limit of 40 feet or less and the demolition of single and two-family residential buildings in RH-1, RH-1(D), RH-1(S) and RH-2 Use Districts, excluding the Bernal Heights Special Use District. (Department of City Planning)

File 111-88-11, Resolution No.

Supervisor Ward presented from Land Use Committee without recommendation.

Supervisor Silver Excused From Voting

On advice of the City Attorney, Supervisor Silver requested to be excused from voting because of possible conflict of interest.

There being no objection, on motion by Supervisor Kennedy, seconded by Supervisor Gonzalez, Supervisor Silver was excused from voting.

Supervisor Hongisto Excused From Voting

On advice of the City Attorney, Supervisor Hongisto requested to be excused from voting because of possible conflict of interest.

There being no objection, on motion by Supervisor Kennedy, seconded by Supervisor Gonzalez, Supervisor Hongisto was excused from voting.

Refused adoption by the following vote:

Ayes: Supervisors Britt, Gonzalez, Maher, Walker, Ward - 5.

Noes: Supervisors Hsieh, Kennedy, Molinari - 3.

Excused: Supervisors Hongisto, Silver - 2.

Absent: Supervisor Nelder - 1.

Tuesday, January 3, 1989

[Interim Controls - Neighborhood Conservation]
Resolution disapproving City Planning Commission Resolution No. 11475 imposing interim controls governing alterations and new construction within all residential districts (excluding Residential-Commercial Districts and the Bernal Heights Special Use District) with a height limit of 40 feet or less and the demolition of single and two-family residential buildings in RH-1, RH-1(D), RH-1(S) and RH-2 Use Districts, excluding the Bernal Heights Special Use District. (Department of City Planning)

File 111-88-11.1, Resolution No.

Supervisor Ward presented from Land Use Committee without recommendation.

Supervisor Silver Excused From Voting

On advice of the City Attorney, Supervisor Silver requested to be excused from voting because of possible conflict of interest.

There being no objection, on motion by Supervisor Kennedy, seconded by Supervisor Gonzalez, Supervisor Silver was excused from voting.

Supervisor Hongisto Excused From Voting

On advice of the City Attorney, Supervisor Hongisto requested to be excused from voting because of possible conflict of interest.

There being no objection, on motion by Supervisor Kennedy, seconded by Supervisor Gonzalez, Supervisor Hongisto was excused from voting.

Refused adoption by the following vote:

Ayes: Supervisors Hsieh, Kennedy, Molinari - 3.

Noes: Supervisors Britt, Gonzalez, Maher, Walker, Ward - 5.

Excused: Supervisors Hongisto, Silver - 2.

Absent: Supervisor Nelder - 1.

(Only one of the two following resolutions should be adopted.)

[Amendment to Neighborhood Conservation]
Resolution ratifying City Planning Commission Resolution No. 11514 imposing an amendment to the Neighborhood Conservation interim controls to further restrict demolition of two-family residential buildings. (Department of City Planning)

Tuesday, January 3, 1989

File 111-88-11.2, Resolution No.

Supervisor Ward presented from Land Use Committee without recommendation.

Supervisor Silver Excused From Voting

On advice of the City Attorney, Supervisor Silver requested to be excused from voting because of possible conflict of interest.

There being no objection, on motion by Supervisor Kennedy, seconded by Supervisor Gonzalez, Supervisor Silver was excused from voting.

Supervisor Hongisto Excused From Voting

On advice of the City Attorney, Supervisor Hongisto requested to be excused from voting because of possible conflict of interest.

There being no objection, on motion by Supervisor Kennedy, seconded by Supervisor Gonzalez, Supervisor Hongisto was excused from voting.

Refused adoption by the following vote:

Ayes: Supervisors Britt, Maher, Walker, Ward - 4.

Noes: Supervisors Gonzalez, Hsieh, Kennedy, Molinari - 4.

Excused: Supervisors Hongisto, Silver - 2.

Absent: Supervisor Nelder - 1.

[Amendment to Neighborhood Conservation Interim Controls]
Resolution disapproving City Planning Commission Resolution No. 11514 imposing an amendment to the Neighborhood Conservation interim controls to further restrict demolition of two-family residential buildings. (Department of City Planning)

File 111-88-11.3, Resolution No.

Supervisor Ward presented from Land Use Committee without recommendation.

Supervisor Silver Excused From Voting

On advice of the City Attorney, Supervisor Silver requested to be excused from voting because of possible conflict of interest.

There being no objection, on motion by Supervisor Kennedy, seconded by Supervisor Gonzalez, Supervisor Silver was excused from voting.

Tuesday, January 3, 1989

Supervisor Hongisto Excused From Voting

On advice of the City Attorney, Supervisor Hongisto requested to be excused from voting because of possible conflict of interest.

There being no objection, on motion by Supervisor Kennedy, seconded by Supervisor Gonzalez. Supervisor Hongisto was excused from voting.

Refused adoption by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Kennedy - 3.

Noes: Supervisors Britt, Maher, Molinari, Walker, Ward - 5.

Excused: Supervisor Hongisto, Silver - 2.

Absent: Supervisor Nelder - 1.

Recommendations of Governmental Operations Committee

Passed for Second Reading

[Ratifying Civil Service Rule 22 Amendment]

Ordinance amending Administrative Code by providing for ratification of an amendment to Civil Service Rule 22, Leaves of Absence, implementing a six month pilot project allowing registered nurses under certain conditions at San Francisco General Hospital to earn and use sick leave pay at a rate of one and one-half times the normal rate. (Civil Service Commission)

File 97-88-80, Ordinance No.

(Amends Section 16.17.)

Supervisor Kennedy presented as a recommendation of Governmental Operations Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Vacation Pay]

Ordinance providing for award of vacation at one and one-half times the ordinary rate for nurses who work an extraordinary schedule; providing for automatic termination of this ordinance, and providing for an effective date of January 21, 1989. (Employee Relations)

Tuesday, January 3, 1989

File 103-88-2, Ordinance No.

Supervisor Kennedy presented as a recommendation of Governmental Operations Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$900,000, Fire Department, for extended work week; rescinding \$900,000 from data processing/word processing equipment, permanent salaries - craft and miscellaneous, permanent salaries - uniform, holiday pay and mandatory fringe benefits; providing for ratification of action previously taken.
(Controller)

File 101-88-61, Ordinance No.

Supervisor Molinari presented as a recommendation of Finance Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 9.

Absent: Supervisors Hongisto, Nelder - 2.

Passed for Second Reading as Amended

[Emergency Medical Services Fund]

Ordinance amending Administrative Code, relating to the Emergency Medical Services Fund. (Supervisors Hsieh, Kennedy, Gonzalez)

File 97-88-13.1, Ordinance No.

(Amends Section 10.117-73.)

Supervisor Molinari presented as a recommendation of Finance Committee.

Supervisor Kennedy, seconded by Supervisor Silver, moved to amend page three, line one by adding "Before issuing or amending any

Tuesday, January 3, 1989

regulations, these officers shall provide a 30 day public comment period by providing published notice in an official newspaper of general circulation in the City of the intent to issue or amend the regulations." after "ordinance."

Motion to amend adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 9.

Absent: Supervisors Hongisto, Nelder - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hsieh, Kennedy, Maher, Molinari, Silver, Ward - 8.

Noes: Supervisor Walker - 1.

Absent: Supervisors Hongisto, Nelder - 2.

Adopted

[Fines]

Resolution authorizing the imposition of a two dollar increase in criminal fines, penalties and forfeitures for the use of the Emergency Medical Services Fund and requesting the courts to amend the countywide bail schedule accordingly, and rescinding Resolution No. 444-88. (Supervisors Hsieh, Kennedy, Gonzalez)

File 381-88-1, Resolution No. 27-89

Supervisor Molinari presented as a recommendation of Finance Committee.

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hsieh, Kennedy, Maher, Molinari, Silver, Ward - 8.

Noes: Supervisor Walker - 1.

Absent: Supervisors Hongisto, Nelder - 2.

[Sale - Tax Deeded Real Property]

Resolution authorizing sale at public auction of certain parcels of tax-defaulted real property. (Treasurer)

File 380-88-1, Resolution No. 26-89

Supervisor Molinari presented as a recommendation of Finance Committee.

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Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hsieh, Kennedy, Maher, Molinari, Silver, Walker, Ward - 9.

Absent: Supervisors Hongisto, Nelder - 2.

Supervisor Molinari Excused

President Walker announced she had excused Supervisor Molinari from the remainder of the meeting.

PUBLIC COMMENT

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the Public Comment portion of the meeting closed.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-1, Resolution No.

(Thad Brown, Tax Collector, December 23 - 28; Dwight W. Clark, Clerk-Administrator, Municipal Court, December 24 - January 8, 1989; Todd Dickinson, Chairman, Parking Authority, December 28 - January 6, 1989; Sonia Melara, member, Parking Authority, December 21 - January 9, 1989; Grant S. Mickins, member, Civil Service Commission, December 4 - 8, 1988.)

Adopted.

[Jail Policy and Planning Advisory Committee]

Resolution amending Resolutions 163-87 and 303-88, establishing a Jail Policy and Planning Advisory Committee and the powers and duties thereof, by extending the appointments of the members of the committee to December 31, 1989, and by requiring that the committee submit its public report no later than August 31, 1989. (Supervisor Walker)

File 245-88-3, Resolution No. 5-89

Adopted.

Tuesday, January 3, 1989

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Kennedy, Maher, Silver, Walker, Ward - 7.

Absent: Supervisors Britt, Hongisto, Molinari, Nelder - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Government Funding]

Ordinance appropriating \$30,000, Social Services, for professional and special services (modified payment program for the homeless). (Supervisor Walker presented.) Referred to Finance Committee.

File 101-88-69

[Adopt-A-Pothole Program]

Ordinance amending Administrative Code by adding Section 10.117-83, establishing Adopt-A-Pothole Special Fund for the receipt of monies for the repair and maintenance of street potholes under the jurisdiction of the Department of Public Works. (Supervisor Nelder presented.) Referred to Public Works Committee.

File 123-88-5

[Transfer of Time to Catastrophically Ill Employee]

Ordinance amending Administrative Code by adding Section 16.18, to provide procedure by which employees may transfer vested compensatory time off credits to a catastrophically ill employee. (Supervisor Hongisto presented.) Referred to Governmental Operations Committee.

File 97-89-1

Referred to Board

[In Memory and Tribute]

Resolution in memory of and in tribute to Howard A. Friedman, FAIA. (Supervisor Walker presented.) Referred to Board for consideration at its January 9, 1989 Immediate Adoption Calendar.

File 4-89-1

[Emergency Repair Work]

Resolution approving a declaration of emergency to take necessary measures to replace a glass window at Louise M. Davies Symphony Hall

Tuesday, January 3, 1989

in the amount of \$35,000. (Supervisor Walker presented.) Referred to Board for consideration at its January 9, 1989 Immediate Adoption Calendar.

File 28-89-1

Referred to Committee

[Presidio]

Resolution expressing San Francisco Board of Supervisors opposition to the proposed closure of the Presidio of San Francisco and the Letterman Army Medical Center and opposition to the recommendation that the proposed strategic homeport program construction for Hunters Point not be executed and memorializing members of the San Francisco Congressional Delegation and the Defense Secretary to reject the recommendations of the Defense Department's Commission on Base Realignment and Closure.

File 163-89-1

Supervisor Gonzalez presented for immediate adoption.

Supervisor Gonzalez, seconded by Supervisor Maher, moved that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Kennedy, Maher, Silver, Walker, Ward - 7.

Absent: Supervisors Britt, Hongisto, Molinari, Nelder - 4.

At the request of the President, subject legislation referred to Governmental Operations Committee.

Requests for Hearings

File 163-89-2. By Supervisor Hongisto: To consider possibility of designating the Presidio as a national park, including financial requirements and process the City needs to pursue should the United States Army proceed with plans to close its Presidio base. Referred to Finance Committee.

File 164-89-1. By Supervisor Britt: To consider opposing proposed I-80 widening. Referred to Public Works Committee.

File 165-89-1. By Supervisor Walker: To consider Budget Analyst's management audit of the Department of City Planning. Referred to Oversight Committee.

Tuesday, January 3, 1989

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Gonzalez, that letter of inquiry be sent to General Manager, Municipal Railway, concerning excessive noise caused by the bus line which passes 551 Myra Way, to determine whether services could be decreased from the current schedule of 5:30 a.m. - 1:00 a.m to 6:30 a.m. - 8:30 p.m.

By Supervisor Gonzalez, that letter be sent urging the United States Secretary of Transportation to support United Airlines exemption application to serve the San Francisco-Mexico City market starting May 1, 1989, as the replacement carrier for this non-stop route, which is presently dormant.

By Supervisor Hongisto, that letter of inquiry be sent to Director of National Parks to determine what it would cost, the process and how long the process would take to designate the Presidio as a national park and incorporating it into the Golden Gate National Recreation Area should the United States Army proceed with plans to close its base at the Presidio.

By Supervisor Kennedy, that City Attorney draft appropriate legislation which would require all City entities to designate a TDD (Telecommunication Devices for the Deaf) number for use by the hearing and speech impaired when a telephone number is listed.

By Supervisor Kennedy, that letter be sent to Director of Public Works inquiring whether construction in the basement level at 439 Third Avenue is properly authorized.

By Supervisor Kennedy, that letter of inquiry be sent to Director of Public Works to determine whether a transparent protective device may be devised to allow the Legislative Chambers to be viewed by members of the public when the Board is not in session.

By Supervisor Kennedy, that letter be sent to Director of Public Health to determine whether the hiring of nurse's aides and/or certified nursing assistants to perform some nursing duties may alleviate the situation caused by a shortage of registered nurses.

By Supervisor Kennedy, that letter be sent to Director of Public Works to determine whether Security Pacific Place can be renamed to Cable Car Court.

By Supervisor Nelder, that City Attorney prepare appropriate legislation which would provide that shelter for homeless women and children, segregated from that for homeless men, be provided in adequate amount.

By Supervisor Walker, that City Attorney review Penal Code Section 1193(2) which states "If the conviction be of a misdemeanor, judgment may be pronounced against the defendant in his absence." and advise whether this refers to sentencing someone in absentia who has failed to appear at their sentencing hearing or if it means that someone who is actually in custody in the very same building as the sentencing court can be sentenced without an appearance.

Tuesday, January 3, 1989

Motions Adopted

Motion that the Board award Certificates of Honor to the following:

Ralph D. Abernathy (Supervisor Ward)
Jeff Amory (Supervisor Britt)
Eleanor Blankenship (Supervisor Ward)
Tom Fox (Supervisor Silver)
Gladys Hansen (Supervisor Hsieh)
Frank J. Kelleher (Supervisor Nelder)
Leonard Louie (Supervisor Hsieh)
Nancy May (Supervisor Britt)
Jim Toland (Supervisor Nelder)
Frank Tong, Jr. (Supervisor Hsieh)
Dennis Wu (Supervisor Hsieh)

File 6-89-1

No objection and motion adopted.

Motion that the Board award Letters of Commendation to the following:

Rosa Agnost (Supervisor Gonzalez)
Cristina Aquallo (Supervisor Gonzalez)
Luis Carballar (Supervisor Gonzalez)
Delta Morales (Supervisor Gonzalez)
George Rodriguez (Supervisor Gonzalez)
Rosa Maria Rodriguez (Supervisor Gonzalez)
Maria Luisa Villa (Supervisor Gonzalez)
Maria Elena Yniquez (Supervisor Gonzalez)

File 8-89-1

No objection and motion adopted.

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Harry Williams (Supervisor Molinari)
Robert R. Garcia (Supervisor Britt)
Donald P. McCullum (Supervisor Ward)
Monica Owens (Supervisor Ward)
Wilhelmina Mills (Supervisor Kennedy)
R. L. Spikes (Supervisor Kennedy)
Enola Drake Williams (Supervisor Kennedy)
Eileen Wong Lowe (Supervisor Hsieh)

File 2-89-1

Unanimously adopted by a rising vote.

ADJOURNMENT

Tuesday, January 3, 1989

There being no further business, the Board at the hour of 5:30 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 8, 1989.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, January 9, 1989 - 12:00 Noon

Monday, January 9, 1989 - 2:00 P.M.

Journal of Proceedings Board of Supervisors

City and County of San Francisco

DOCUMENTS DEPT.

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, January 9, 1989 - 12:00 Noon

The Board of Supervisors of the City and County of San Francisco met in special inaugural session on the above date.

CALLING THE ROLL

The meeting was called to order at 12:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Quorum present.

President Walker presiding.

COMMUNICATIONS

The Clerk presented the following communications:

Certification of Election Results

November 23, 1988

Honorable Board of Supervisors
City and County of San Francisco
Room 235 City Hall
San Francisco, CA 94102

I, Germaine Q Wong, Acting Registrar of Voters of the City and County of San Francisco, hereby certify that pursuant to and in the manner required by law, I have canvassed the vote cast at the Consolidated General Election held on Tuesday, the Eighth day of November 1988 in said city and County.

I certify that I commenced the canvass of said election on Thursday, November 10, 1988 and that the canvass was conducted in the manner required by Division 12 of the California Elections Code.

I further certify that as a result of such official canvass and tabulation of all votes recorded, I herewith present a complete record as set forth in full in the volume entitled, "Statement of Votes, Consolidated General Election, November 8, 1988" and that the number of ballots cast at said election was 292,145.

Monday, January 09, 1989

I certify that the following six candidates received the highest number of votes for the Board of Supervisors:

Harry G. Britt	116,305
Angela Alioto	95,313
Tom Hsieh	93,127
Terence Tyrone Hallinan	92,831
Willie B. Kennedy	90,589
Jim Gonzalez	88,745

I further certify that the following candidates received the highest number of votes for the Board of Education:

Libby Denebeim	116,237
Joanne Miller	116,196
Leland Y. Yee	103,346
Fred A. Rodriguez	93,785

I further certify that the following four candidates received the highest number of votes for the Community College Board:

Julie Tang	116,610
Tim Wolfred	106,451
Robert P. Varni	102,357
Ernest "Chuck" Ayala	95,874

I further certify that the ordinance for library bonds designated as Proposition A received an affirmative vote of 76.2% (i.e. 186,435 to 58,079) of the votes cast thereon.

I further certify that the Charter Amendments designated as Propositions C, D, E, F, G, H, I, J, K, L, M and N received an affirmative vote of the majority of the votes cast thereon.

I further certify that the ordinances designated as Propositions Q and S received an affirmative vote of the majority of the votes cast thereon.

I further certify that the declarations of policy designated as Proposition V and X received an affirmative vote of the majority of the votes cast thereon.

I certify that the Charter Amendment designated as Proposition O failed to receive an affirmative vote of the majority of the votes cast thereon.

I further certify that the ordinances designated as Propositions P, R, T, and U failed to receive an affirmative vote of the majority of the votes cast thereon.

I further certify that the declarations of policy designated as Propositions W and Z failed to receive an affirmative vote of the majority of the votes cast thereon.

In witness whereof I hereby affix my hand and seal this twenty-first day of November 1988.

/s/
Germaine Q. Wong
Acting Registrar of Voters

Monday, January 09, 1989

January 6, 1989

The Honorable Board of Supervisors
City and County of San Francisco
Room 235 - City Hall
San Francisco, California 94102

Ladies and Gentlemen:

This is to inform you that a recorded bond is on file for each of the following members of the Board of Supervisors:

Supervisor Angela Alioto
Supervisor Harry Britt
Supervisor James Gonzalez
Supervisor Terence Tyrone Hallinan
Supervisor Richard Hongisto
Supervisor Tom Hsieh
Supervisor Willie Kennedy
Supervisor Bill Maher
Supervisor Wendy Nelder
Supervisor Nancy G. Walker
Supervisor Doris M. Ward

Very truly yours,

/s/
John C. Farrell
Controller

Administration of Oaths

President Walker introduced the Honorable Mary C. Morgan, Judge, San Francisco Municipal Court, who will administer the oath of office to those persons who were elected and requested each person named above to please rise and stand at their respective desks.

Thereupon, Judge Morgan administered the oath of office to the following members of the Board of Supervisors:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh and Kennedy.

An Oath of office had been previously executed and copies duly delivered to the Clerk of the Board in the case of Supervisor Hallinan, effected by the following official: Vincent Hallinan, having been sworn in as Deputy Clerk in order to give his son, Terence Hallinan, the oath of office on January 8, 1989 at Castagnola's Restaurant.

Remarks by Retiring President Nancy G. Walker

Two years ago today I inherited the Presidency from Supervisor Jack Molinari. I want to acknowledge a few people for their help above and beyond the call of duty. John Taylor, Clerk of the Board

Monday, January 09, 1989

has been tremendous - I should note that he does a stunning job for this Board and the City and receives precious little acknowledgement for it. The clerk's office generally - all of you have been wonderfully supportive and I am grateful. My aides, past and present Kate Monico-Klein, Erik Shapiro, Rita Boyle, Jean Mariani and auxillary staff Amy Weaver and Amanda Feinstein. The Employee Relations folks, Jeff Sloan, and Joanne Auerbach in particular and the City Attorney's Office particularly Buck Delventhal, Ted Lakey and John Holtzman. My family and most especially the significant other in my life who declines these ceremonies unless hog-tied, John Gantner, who has been patient and supportive throughout.

This Board has also taken some serious assaults from without and to a lesser degree from within. We have weathered those because this Board is composed of people who, within their diversity - care for this City and its people. We will miss Carol Silver and Jack Molinari, their shoes will not be easily filled. Today, however, we begin to weave our legislative fabric with new threads. The potential is exciting and the times are challenging.

As I extend my personal congratulations to those of my colleagues who have been re-elected and my warm welcome to our newest members I want to recite a litney of problems and questions which must be dealt with and answered by this Board.

We are the Legislative Body of the City and County of San Francisco. To us falls the setting and determining of public policy. Whether it be homelessness, overcrowded jails, where and how and even whether to increase the supply of housing in our City, what is our vision of the future and how do we take care of our elders and our children. There are critics of this Board who talk about our municipal foreign policy. To those people and to our new supervisors I say - the amount of time this Board has spent and spends of "inappropriate activity" is insignificant. What this Board does and what I hope it will continue to do is respond to the people who live and work in our City - many of them come from far away and bring with them their concerns and worries for the places and people they left behind. I submit it is appropriate for this City to respond to their concerns. It is after all one, increasingly small world.

This year we must once again grapple with difficult municipal financing. Working with Mayor Agnos, the Controller, Sam Yockey and the Budget Analyst, we will provide for our people in an increasingly effective, efficient and humane way.

Now as I leave the Chair, may I compliment you, my colleagues. You have been - for the most part - a splendid group of people and I enjoyed very much being your President. I am proud of you and of us and the work that we do; you all deserve a great deal of credit for the fact that this City continues to be one of the world's favorite cities. Not to mention home of the soon-to-be-Super Bowl champion San Francisco Forty-Niners! I will never forget the trust that the people of this city displayed in me in the 1986 supervisorial election.

Monday, January 09, 1989

Now, I greatly look forward to returning to the floor and participating in the action, as it were, with my good friend and extremely capable colleague, Harry Britt, sitting in this Chair. It is with great pleasure that I now ask Supervisors Ward and Hongisto to escort President Britt to this podium. Thank you all very much.

Installation of President Harry G. Britt

The outgoing President, Nancy G. Walker, requested that Supervisors Ward and Hongisto escort the newly elected President to the rostrum.

Presentation of Mayor Agnos

President Britt, upon assuming the Chair, indicated it was with great honor, as his first act, to officially welcome to our Chambers the leader of our City, Mayor Art Agnos.

Remarks by Mayor

Mayor Art Agnos expressed delight in joining with the families, friends and supporters of the new and senior members of the City's official family on this joyous occasion and presented brief remarks concerning the difficult challenges they will be facing as they begin the decade of the 90's. He wished Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh and Kennedy, the "Class of 89", the same success in achieving their goals as the San Francisco 49ers.

The Mayor gave personal thanks to Supervisor Walker because of her intelligent, diligent and devoted public service she has shown and welcomed her continued help and support.

The Mayor congratulated President Britt for being the first member of the Gay community to be elected President of the Board of Supervisors.

Presentation of Plaque

President Britt, on behalf of the entire Board, presented a commendatory plaque to President Walker, memorializing her term as President of the Board for the period January 8, 1987 to January 8, 1989.

Introduction of Supervisors and Members of their Families

Monday, January 09, 1989

The President introduced each Board member in the order of seniority and afforded them the opportunity for brief remarks and for introduction of their respective families and close friends.

The Board recognized the following distinguished guests:

Honorable Joseph Alioto, former Mayor of San Francisco;
Honorable Jerry Brown, former Governor of California;
Honorable Nancy Pelosi, Congresswoman; and
Honorable Carol Ruth Silver, former Supervisor of
San Francisco.

Remarks of President Britt

President Britt thanked the citizens of San Francisco for the vote of confidence in electing him President of the Board. He acknowledged the help and support he received from his family, friends and legislative aides, past and present.

Announcement of Committee Assignments

The following Committee assignments were made by President Britt:

FINANCE

Supervisors Walker, Ward, Hallinan

ECONOMIC DEVELOPMENT

Supervisors Nelder, Gonzalez, Hsieh

GOVERNMENTAL OPERATIONS

Supervisors Gonzalez, Hsieh, Alioto

HUMAN SERVICES

Supervisors Alioto, Hongisto, Gonzalez

LAND USE

Supervisors Ward, Hallinan, Nelder

OVERSIGHT

Supervisors Hongisto, Nelder, Kennedy

PUBLIC WORKS

Supervisors Kennedy, Maher, Hongisto

RULES

Supervisors Britt, Kennedy, Maher

First-named Supervisor is Chair, second-named Supervisor is Vice-Chair, of the Committee.

ADJOURNMENT

There being no further business, the Board at the hour of 1:24 p.m. adjourned.

John L. Taylor, Clerk

Monday, January 09, 1989

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, January 9, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Maher, Walker - 7.

Noted absent at first roll call:

Supervisors Gonzalez, Kennedy, Nelder, Ward - 4.

Quorum present.

Supervisor Gonzalez was noted present at 2:06 p.m.

Supervisor Kennedy was noted present at 2:12 p.m.

Supervisor Nelder was noted present at 2:10 p.m.

Supervisor Ward was noted present at 2:09 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Walker, seconded by Supervisor Hongisto, moved that the Journal of Proceedings for Monday, July 25, 1988, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Maher, Walker - 7.

Absent: Supervisors Gonzalez, Kennedy, Nelder, Ward - 4.

Monday, January 09, 1989

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Hsieh requested that the following measures be severed from the Consent Calendar and considered separately.

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$555,982, Public Health, Community Mental Health Services, for permanent salaries - miscellaneous - nurses, holiday pay, temporary salaries - nurses and related mandatory fringe benefits, other contractual services, telephone, materials and supplies, equipment, services of other departments - electricity, reproduction and medical services contracts for the creation of 24 positions. (Supervisor Walker)

File 101-88-58, Ordinance No. 10-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Maher, Walker - 7.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Kennedy, Nelder, Ward - 3.

[Public Employment]

Ordinance amending Ordinance No. 269-88 (Annual Salary Ordinance) reflecting the addition of twenty-four positions in the Department of Public Health, Community Mental Health Services; companion measure to File 101-88-58. (Supervisor Walker)

File 102-88-25, Ordinance No. 14-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Maher, Walker - 7.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Kennedy, Nelder, Ward - 3.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Monday, January 09, 1989

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$112,200, Parking Authority, for capital improvement project (Diamond Market Parking Facility); for fiscal year 1988-89. (Controller).

File 101-88-59, Ordinance No. 11-89

Finally passed.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$16,000, Juvenile Court, for temporary salaries. (Controller)

File 101-88-65, Ordinance No.

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Dean Lumpkin against the City and County by payment of \$37,000. (City Attorney)

File 45-88-86, Ordinance No.

(United States District Court No. C87-0241.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of William and Jane MacDonald against the City and County by payment of \$115,000. (City Attorney)

File 45-88-87, Ordinance No.

(Superior Court No. 887-535.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Rebhi Ayesh against the City and County by payment of \$25,000. (City Attorney)

Monday, January 09, 1989

File 45-88-88, Ordinance No.

(Superior Court No. 865-144.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigated and unlitigated claims of Wells Fargo Bank against the City and County by payment of \$1,045,973. (City Attorney)

File 45-88-89, Ordinance No.

(Superior Court No. 830-076 (Consolidated with Case No. 869-410).)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Franz and Elisabeth Probst and Franz Probst, Jr. against the City and County by payment of \$75,000. (City Attorney)

File 45-88-90, Ordinance No.

Passed for second reading.

Recommendations of Governmental Operations Committee

Finally Passed

[Ratifying Civil Service Rule 22 Amendment]

Ordinance amending Administrative Code by providing for ratification of an amendment to Civil Service Rule 22, Leaves of Absence, implementing a six month pilot project allowing registered nurses under certain conditions at San Francisco General Hospital to earn and use sick leave pay at a rate of one and one-half times the normal rate. (Civil Service Commission)

File 97-88-80, Ordinance No. 9-89

(Amends Section 16.17.)

Finally passed.

[Vacation Pay]

Ordinance providing for the award of vacation at one and one-half times the ordinary rate for nurses who work an extraordinary schedule; providing for automatic termination of this ordinance, and providing for an effective date of January 21, 1989. (Employee Relations)

Monday, January 09, 1989

File 103-88-2, Ordinance No. 15 89

Finally passed.

[Terminal Revenue Sharing Agreement]
Ordinance approving the Third Amendment of the Terminal Revenue Sharing Agreement between Evergreen Marine Corp. (Taiwan) Ltd., and the City and County acting by and through the Port Commission. (Port Commission)

File 189-88-6, Ordinance No. 16-89

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Walker - 8.

Absent: Supervisors Kennedy, Nelder, Ward - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating \$200,000, Port Commission, for professional services, for fiscal year 1988-89; subject of a previous budgetary denial; placing in reserve \$200,000. (Controller)

File 101-88-60, Ordinance No. 12-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Walker, Ward - 9.

Absent: Supervisors Kennedy, Nelder - 2.

[Government Funding]
Ordinance appropriating \$900,000, Fire Department, for extended work week; rescinding \$900,000 from data processing/word processing equipment, permanent salaries - craft and miscellaneous, permanent salaries - uniform, holiday pay and mandatory fringe benefits;

Monday, January 09, 1989

providing for ratification of action previously taken.
(Controller)

File 101-88-61, Ordinance No. 13-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto,
Hsieh, Maher, Walker, Ward - 9.

Absent: Supervisors Kennedy, Nelder - 2.

[Emergency Medical Services Fund]
Ordinance amending Administrative Code, relating to the Emergency
Medical Services Fund. (Supervisors Hsieh, Kennedy, Gonzalez)

File 97-88-13.1, Ordinance No. 8-89

(Amends Section 10.117-73.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto,
Hsieh, Maher, Ward - 8.

Noes: Supervisor Walker - 1.

Absent: Supervisors Kennedy, Nelder - 2.

Recommendation of Human Services Committee

Finally Passed

[Health Care Costs]
Ordinance amending Administrative Code to establish a regional
advisory committee to improve state and regional financing options
for uninsured and underinsured residents of five bay area counties.
(Supervisors Hsieh, Kennedy, Silver, Ward)

File 313-88-1, Ordinance No.

(Adds Section 19A.30.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto,
Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

NEW BUSINESS

Monday, January 09, 1989

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$31,200, Police Department, for overtime - permanent; rescinding \$31,200 from permanent salaries - uniform; for fiscal year 1988-89. (Controller)

File 101-88-62, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Government Funding]

Ordinance appropriating \$224,000, Chief Administrative Officer - Public Pound, for capital improvement project (renovation of 949 Presidio Avenue) and equipment purchase; for fiscal year 1988-89. (Controller)

File 101-88-63, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Noes: Supervisor Nelder - 1.

[Government Funding]

Ordinance appropriating \$2,745,000, Chief Administrative Officer - Public Pound, for capital improvement project (animal shelter construction); and placing a reserve on \$131,000. (Controller)

File 101-88-64, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Noes: Supervisor Nelder - 1.

[Government Funding]

Ordinance appropriating \$84,778, Recreation and Park, for permanent salaries and mandatory fringe benefits; rescinding \$41,656 from permanent salaries, for creation of two positions, 7334 Stationary

Monday, January 09, 1989

Engineer and a salary range increase for one position, A856
Assistant Stadium Manager. (Controller)

File 101-88-66, Ordinance No.

Supervisor Hsieh, seconded by Supervisor Nelder, moved to amend
by deleting one Stationary Engineer position.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Hongisto, Hsieh, Kennedy, Maher, Nelder - 5.

Noes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Walker,
Ward - 6.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Walker,
Ward - 6.

Noes: Supervisors Hongisto, Hsieh, Kennedy, Maher, Nelder - 5.

[Public Employment]

Ordinance amending Annual Salary Ordinance, Recreation and Park
Department, reflecting the addition of two positions and a salary
range change for one position; companion measure to File 101-88-66.
(Civil Service Commission)

File 102-88-24, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Walker,
Ward - 6.

Noes: Supervisors Hongisto, Hsieh, Kennedy, Maher, Nelder - 5.

Adopted

[Declaration of Emergency]

Resolution approving a declaration of emergency to take necessary
measures to repair an aviation fuel pipe and to decontaminate the
affected areas at San Francisco International Airport - \$1,500,000.
(Airport Commission)

File 28-88-17, Resolution No. 34-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto,
Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Monday, January 09, 1989

[Recovery of Value of Services]

Resolution authorizing Tax Collector to institute legal proceedings for the recovery of value of services rendered at hospital facilities operated by the Department of Public Health. (Office of the Treasurer)

File 382-88-1, Resolution No. 35-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Gonzalez - 1.

PUBLIC COMMENT

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the Public Comment portion of the meeting closed.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-2, Resolution No. 31-89

(Frances McAteer, Vice President, Recreation & Park Commission, February 11-March 4; Joyce Ream, Executive Director, Commission on the Aging, January 12-20; Fred A. Rodriguez, Board of Education, January 8; Mrs. Melvin M. Swig, member, War Memorial Board of Trustees, January 26-29, April 15-May 9, and May 25- 27, 1989)

Adopted.

[In Memory and Tribute]

Resolution in memory of and in tribute to Howard A. Friedman, FAIA. (Supervisors Walker, Hsieh)

File 4-89-1, Resolution No. 32-89

Adopted.

Monday, January 09, 1989

[Emergency Repair Work]

Resolution approving a declaration of emergency to take necessary measures to replace a glass window at Louise M. Davies Symphony Hall in the amount of \$35,000. (Supervisor Walker)

File 28-89-1, Resolution No. 33-89

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Gonzalez, Hongisto - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Van Ness Avenue Rezoning and Planning Controls]

Ordinance amending City Planning Code Sections 181, 243 and 607.3, to modify the Van Ness Special Use District and impose restrictions on property within that district, including restrictions on the use of property and the use of signs. (Supervisors Ward, Britt, Nelder, Gonzalez, Hsieh presented.) Referred to Land Use Committee.

File 115-88-8.1

[POST Funds for Police Dispatchers]

Ordinance amending Administrative Code by adding Section 10.117-86, pertaining to the receipt of funds from the State of California for participating in the California Commission on Peace Officers Standards and Training (POST) Program as it relates to public safety dispatchers. (Supervisor Gonzalez presented.) Referred to Governmental Operations Committee.

File 97-89-2

Adopted

[Grant - Federal Funds]

Resolution authorizing the Board of Supervisors to apply for, accept and expend funds in the total amount of \$100,172 from the National Telecommunications Information Administration Public Telecommunications Facilities program for City and County cable television facilities and public information services planning.

File 32-89-1, Resolution No. 28-89

Monday, January 09, 1989

Supervisors Walker and Hsieh presented for immediate adoption.

Supervisor Walker, seconded by Supervisor Hongisto, moved that the need to take action arose subsequent to the publication of the calendar.

No objection and motion carried.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Gonzalez, Hongisto - 2.

Adopted

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services to apply for, accept and expend a grant of \$217,751 from the State Department of Health Services for the special supplemental food program for women, infants and children (WIC).

File 146-89-1, Resolution No. 30-89

Supervisor Gonzalez presented for immediate adoption.

Supervisor Gonzalez, seconded by Supervisor Walker, moved that the need to take action arose subsequent to the publication of the Calendar.

No objection and motion carried.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Gonzalez, Hongisto - 2.

Referred to Committee

[Sidewalk Restaurant Dining]

Resolution urging the Mayor to urge the City Planning Commission to consider the appropriateness of establishing sidewalk and other outside eating areas, where possible, to consider amending the City's Master Plan to encourage and promote the establishment of sidewalk dining areas in appropriate locations within San Francisco. (Supervisor Nelder presented.) Referred to Land Use Committee.

File 166-89-1

Monday, January 09, 1989

Requests for Hearings

File 18-89-1. By Supervisor Nelder: To consider creating four-way Stop intersection at Mangels and Hazelwood Avenues. Referred to Public Works Committee.

File 167-89-1. By Supervisor Kennedy: To consider Controller's audit on the Mayor's Office of Housing, Non-Profit Performing Arts Loan Program. Referred to Oversight Committee.

File 168-89-1. By Supervisor Maher: To consider supporting the Trust for Public Land efforts to acquire a site in the South of Market area for a new park, without any obligation on the part of the City, and to hold that property for possible resale to the City at some future date. Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that City Attorney draft appropriate legislation amending Administrative Code Sections 50.10 and 50.12 as recommended in the Controller's audit report on the Mayor's Office of Housing Non-Profit Performing Arts Loan Program.

By Supervisor Nelder, that letter be sent to General Manager, Recreation and Park Department, inquiring whether Fortyniner fans can watch the Super Bowl on the big screen at Candlestick Park on January 22, 1989, for which admission would be paid and concession income generated.

Motions Adopted

Motion that the Board award Certificates of Honor to the following:

Lillian Crosthwaite (Supervisor Walker)
Thomas J. Debrauske (Supervisor Molinari)
Burney Douglas (Supervisor Alioto)
Donal Feeser (Supervisor Walker)
Peter Goldman (Supervisors Maher, Hongisto, Hsieh, Kennedy, Walker)
Flora Harvey (Supervisor Walker)
Samuel Joseph (Supervisor Alioto)
Geomen Liu (Supervisor Nelder)
Richard Livingston (Supervisor Walker)
Paul Lucas (Supervisor Walker)
Ruth Mordokowicz (Supervisor Molinari)
Marvin Nathan (Supervisor Molinari)
Silen Nhok (Supervisor Walker)
Rick Wilkinson (Supervisor Walker)

File 6-89-2

No objection and motion adopted.

Monday, January 09, 1989

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Igor Schultz (Supervisor Ward)

File 2-89-2

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:39 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, January 09, 1989

Approved by the Board of Supervisors on May 15, 1989.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

TUESDAY, January 17, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, January 17, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker - 9.

Noted absent at first roll call:

Supervisors Kennedy, Ward - 2.

Quorum present.

Supervisor Supervisor Kennedy was noted present at 2:05 p.m.

Supervisor Ward was noted present at 2:08 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Walker, seconded by Supervisor Maher, moved that the Journal of Proceedings for Monday, August 1, 1988, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

Tuesday, January 17, 1989

[Government Funding]

Ordinance appropriating \$16,000. Juvenile Court, for temporary salaries. (Controller)

File 101-88-65, Ordinance No. 26-89

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Dean Lumpkin against the City and County by payment of \$37,000. (City Attorney)

File 45-88-86, Ordinance No. 18-89

(United States District Court No. C87-0241.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of William and Jane MacDonald against the City and County by payment of \$115,000. (City Attorney)

File 45-88-87, Ordinance No. 19-89

(Superior Court No. 887-535.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Rebhi Ayesh against the City and County by payment of \$25,000. (City Attorney)

File 45-88-88, Ordinance No. 20-89

(Superior Court No. 865-144.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigated and unlitigated claims of Wells Fargo Bank against the City and County by payment of \$1,045,973. (City Attorney)

File 45-88-89, Ordinance No. 21-89

(Superior Court No. 830-076 (Consolidated with Case No. 869-410).)

Finally passed.

Tuesday, January 17, 1989

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Franz and Elisabeth Probst and Franz Probst, Jr. against the City and County by payment of \$75,000. (City Attorney)

File 45-88-90, Ordinance No. 22-89

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$31,200, Police Department, for overtime - permanent; rescinding \$31,200 from permanent salaries - uniform; for fiscal year 1988-89. (Controller)

File 101-88-62, Ordinance No. 23-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Government Funding]

Ordinance appropriating \$224,000, Chief Administrative Officer - Public Pound, for capital improvement project (renovation of 949 Presidio Avenue) and equipment purchase; for fiscal year 1988-89. (Controller)

File 101-88-63, Ordinance No. 24-89

Finally passed by the following vote:

Tuesday, January 17, 1989

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Noes: Supervisor Nelder - 1.

Absent: Supervisor Ward - 1.

[Government Funding]

Ordinance appropriating \$2,745,000, Chief Administrative Officer - Public Pound, for capital improvement project (animal shelter construction); and placing a reserve on \$131,000. (Controller)

File 101-88-64, Ordinance No. 25-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Noes: Supervisor Nelder - 1.

Absent: Supervisor Ward - 1.

[Government Funding]

Ordinance appropriating \$84,778, Recreation and Park, for permanent salaries and mandatory fringe benefits; rescinding \$41,656 from permanent salaries, for creation of two positions, 7334 Stationary Engineer and a salary range increase for one position, A856 Asst. Stadium Manager. (Controller)

File 101-88-66, Ordinance No. 27-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Walker, Ward - 6.

Noes: Supervisors Hongisto, Hsieh, Kennedy, Maher, Nelder - 5.

[Public Employment]

Ordinance amending Annual Salary Ordinance, Recreation and Park Department, reflecting the addition of two positions and a salary range change for one position; companion measure to File 101-88-66. (Civil Service Commission)

File 102-88-24, Ordinance No. 28-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Walker, Ward - 6.

Noes: Supervisors Hongisto, Hsieh, Kennedy, Maher, Nelder - 5.

Tuesday, January 17, 1989

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$50,000. Police Department, for program project budget, Narcotics Flash Fund. (Controller)

File 101-88-67, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

[Government Funding]

Ordinance appropriating \$8,964, Police Department, for property rental; rescinding \$8,964 from permanent salaries - uniformed. (Controller)

File 101-88-68, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Passed for Second Reading as Amended

[Special Assessment Lien Procedure]

Ordinance amending Administrative Code, establishing a special assessment lien procedure. (Supervisor Walker)

File 97-88-82, Ordinance No.

(Adds Article XX.)

Supervisor Kennedy, seconded by Supervisor Maher, moved to amend page two, lines 5 through 7, by replacing sentence with new language as follows: "a recommendation on whether the lien procedure is appropriate for such delinquent account; and if not, a detailed explanation of inappropriateness shall be included."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Tuesday, January 17, 1989

Supervisor Kennedy, seconded by Supervisor Maher, moved to further amend by amending page two, line 18 by inserting "protests or" after "any".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Adopted

[Removal of Lien]

Resolution authorizing release of lien on property known as Assessor's Block 6089, Lot 15, known as 562 Naples Street, San Francisco, California, and currently owned by Hazel Walsh. (City Attorney)

File 3-88-1, Resolution No. 40-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Recommendations of Governmental Operations Committee

Passed for Second Reading

[Curb Parking Regulations]

Ordinance amending Traffic Code Sections 11.6 and 33.4, by the deletions of any reference of Section 33.3.1 in the Metropolitan Traffic District. (Department of Public Works)

File 124-88-19, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Tuesday, January 17, 1989

Adopted as Amended

[Government Funding]

Resolution authorizing the Recreation and Park Department to expend \$750,000 granted under the California State Park Bond Act for 1984 for the rehabilitation of Kezar Stadium; and incorporating findings pursuant to City Planning Code Section 101.1. (Recreation and Park Department)

File 150-88-6, Resolution No. 55-89

Supervisor Gonzalez, seconded by Supervisor Maher, moved to amend by adding item 7 to reflect addition of findings pursuant to City Planning Code Section 101.1 as follows: "7. Finds this project to be consistent with the priority policies of Section 101.1 of the City Planning Code. Policies 1, 2, 3, 5, 6 and 7 are not applicable in that the project deals with our parks and open spaces. This project is consistent with Policy 4 in that the project would not result in a significant traffic increase. The project is consistent with Policy 8 in that it would enhance the open space and recreational opportunities in Golden Gate Park." Title amended accordingly.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution confirming Mayor's appointment to the Redevelopment Agency, for a four-year term ending September 3, 1992. (Rules Committee).

File 33-88-4, Resolution No. 41-89

(Paul Wartelle, vice Walter Newman, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Tuesday, January 17, 1989

[Appointment]

Resolution appointing member to the Zoo Advisory Committee, term indefinite. (Rules Committee).

File 92-88-11, Resolution No. 42-89

(Robert Erickson, CAL-OSHA representative.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Appointment]

Resolution appointing member to the Zoo Advisory Committee, term indefinite. (Rules Committee).

File 92-88-11.2, Resolution No. 43-89

(Dolores Donovan, citizen with knowledge of zoo matters.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Appointment]

Resolution appointing member to the Emergency Medical Care Committee, for three-year term ending June 30, 1991. (Rules Committee)

File 92-88-15, Resolution No. 44-89

(Captain William Dwyer, California Highway Patrol, vice Captain Charles Weaver, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Appointment]

Resolution appointing member to the Mental Health Advisory Board, for unexpired portion of three-year term ending January 31, 1990. (Rules Committee)

Tuesday, January 17, 1989

File 92-88-28, Resolution No. 45-89

(Keith Armstrong, social worker, vice Walter Maciak, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Appointment]

Resolution appointing member to the Arts Organizations Task Force, for one-year term ending August 19, 1989. (Rules Committee)

File 92-88-31.3, Resolution No. 53-89

(Dennis Wu.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Appointment]

Resolution appointing member to the Adult Day Health Care Planning Council, for three-year term ending September 30, 1991. (Rules Committee)

File 92-88-32, Resolution No. 46-89

(William Bruckner, younger functionally impaired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Appointments]

Resolution appointing members to the Mental Health Advisory Board, for three-year terms ending January 31, 1992. (Rules Committee)

File 92-88-47.1, Resolution No. 47-89

(Bert Levenson, M.D., physician/psychiatrist, vice

Murray Persky, M.D., resigned;

Pamela Krell, Ph.D., psychologist, vice herself, term expired;

Mari Tepper, consumer, vice herself, term expired;

Everett Brandon, Esq., consumer, vice himself, term expired.)

Tuesday, January 17, 1989

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Appointments]

Resolution appointing members to the Citizens Telecommunications Policy Committee, for two-year terms ending February 1, 1991.
(Rules Committee)

File 92-88-48, Resolution No. 48-89

(Dr. Harold Layer, vice himself, term expired;
Emily Pike, vice herself, term expired;
Susan Levitan, vice herself, term expired;
Yulanda Williams, vice herself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Appointment]

Resolution appointing member to the Emergency Medical Care Committee, for unexpired portion of three-year term ending June 30, 1990. (Rules Committee)

File 92-88-52, Resolution No. 49-89

(Janet Welsh, R.N., emergency nurse, vice Pamela Speich, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Appointments]

Resolution appointing members to the Zoo Advisory Committee, for indefinite terms. (Rules Committee)

File 92-88-64, Resolution No. 50-89

(John Alcaraz, citizen with knowledge of zoo matters
Sophie Papageorge, citizen with knowledge of zoo matters.)

Adopted by the following vote:

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Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Adopted as Amended

[Appointment]

Resolution appointing member to the Veterans Affairs Council, for a ((two-year)) four-year term ending January 31, ((1991)) 1993.
(Rules Committee)

File 92-88-65.1, Resolution No. 54-89

(Paul Hardman, Category 2, vice himself, term expired.)

Supervisor Maher, seconded by Supervisor Walker, moved to amend line 9 by replacing "two" with "four" and by replacing "1991" with "1993".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Adopted

[Appointment]

Resolution appointing Supervisor Harry G. Britt to the Peninsula Corridor Study Joint Powers Board, vice Supervisor Carol Ruth Silver, resigned, for unexpired portion of term ending June 30, 1990. (Rules Committee)

File 92-88-66, Resolution No. 51-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Appointment]

Resolution appointing member to the Emergency Medical Care

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Committee, for unexpired portion of three-year term ending June 30, 1990. (Rules Committee)

File 92-88-68, Resolution No. 52-89

(Robert Neal, Community College, vice Nicholar Chang, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Ace Washington.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-3, Resolution No. 36-89

(Mayor Art Agnos, January 14 - 15 and 16 - 23; Jim Gonzalez, member, Board of Supervisors, January 20 - 23; Richard J. Guggenhime, member, Recreation & Park Commission, January 17 - 23; Allen C. Haile, member, Social Services Commission, January 27 - February 3; Ralph D. House, member, Board of Permit Appeals, February 9 - 13; Thomas Hsieh, member, Board of Supervisors, January 20 - 23; Willie B. Kennedy, member, Board of Supervisors, January 21 - 28; Sonia Melara, member, Parking Authority, January 16 - 17; Patrick A. Murphy, member, Airports Commission, January 18 - 19; Harry S. Parker, III, Director of the Fine Arts Museums, January 26 - February 4, 1989.)

Adopted.

[Grant - State Funds]

Resolution authorizing the Mayor's Office of Childcare to apply for, accept and expend a grant in the amount of \$25,000 from the State Department of Education, Child Development Division, for Strategic Planning, Phase I, assessment of need for and coordination of local child care services. (Supervisors Walker, Britt)

Tuesday, January 17, 1989

File 68-89-1, Resolution No. 38-89

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker, Ward - 9.

Absent: Supervisors Hongisto, Maher - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Adopted

[Commendation]

Resolution commending, congratulating and thanking United Artists for their civic spirit and leadership on behalf of the homeless.

File 4-89-2, Resolution No. 37-89

Supervisor Walker presented for immediate adoption.

Supervisor Maher, seconded by Supervisor Nelder, moved that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker, Ward - 9.

Absent: Supervisors Hongisto, Maher - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker, Ward - 9.

Absent: Supervisors Hongisto, Maher - 2.

Referred to Committee

[State Loan, Oceanside Treatment Plant]

Resolution finding and determining that the Oceanside Water Pollution Control Plant project will protect and preserve the environment and that the use of loan funds is the most cost-effective method of financing the project; authorizing the

Tuesday, January 17, 1989

Director of Public Works to apply for and enter into loan agreements not to exceed approximately \$60 million. (Supervisor Walker presented.) Referred to Finance Committee.

File 53-89-1

[Grant, Federal Funds]

Resolution authorizing the Mayor's Office of Community Development to apply for, accept and expend a \$265,000 grant under the Emergency Shelter Grant program (under the Stewart B. McKinney Homeless Assistance Act of 1988) to improve the quality of existing shelters for the homeless. (Supervisor Walker presented.) Referred to Governmental Operations Committee with request it be considered before February 1, 1989.

File 68-89-2

Adopted

[Street Name Change]

Resolution directing the changing of the names for January 22, 1989 only, of Montana Street, Rice Street and Wood Street in San Francisco to honor the San Francisco 49ers.

File 75-89 1, Resolution No. 39-89

Supervisor Gonzalez presented for immediate adoption.

Supervisor Gonzalez, seconded by Supervisor Nelder, moved that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker, Ward - 9.

Absent: Supervisors Hongisto, Maher - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker, Ward - 9.

Absent: Supervisors Hongisto, Maher - 2.

Referred to Committee

[Interim Controls, Lakeshore Acres]

Resolution imposing Interim Zoning Controls to establish the Lakeshore Acres Special Use District for property in the RH 1(D) and RH-1 zoned areas generally bounded by Sloat, Twenty-fifth Avenue,

Tuesday, January 17, 1989

Eucalyptus, Middlefield, Lake Merced Boulevard, Skyline Drive and Sloat Boulevard and imposing restrictions on height and rear yards. (Supervisor Maher presented.) Referred to Land Use Committee.

File 111-89-1

[Global ReLeaf Effort]

Resolution urging the Mayor to declare Saturday, April 29, 1989, to be San Francisco ReLeaf Day; and establishing as City policy that 300,000 trees be planted in the City and County by the year 2000; urging the Mayor to create a San Francisco ReLeaf Task Force to examine ways in which this goal and the long-term maintenance of these trees can be achieved, including such things as a voluntary one dollar property assessment or twenty-five cent addition to adult, non-subsidized entry to such entertainment programs as movies, concerts and sporting events. (Supervisor Nelder presented.) Referred to Public Works Committee.

File 169-89-1

[Fillmore Center Construction]

Resolution urging the San Francisco Redevelopment Agency Commission to award the development and construction of a mixed use project on Assessor's Block 732 within the Fillmore Center area to a local firm. (Supervisor Nelder presented.) Referred to Governmental Operations Committee.

File 170-89-1

Requests for Hearings

File 56-89-1, By Supervisor Britt: To consider rule change concerning issuance of certificates of honor. Referred to Rules Committee with request it be considered at the next meeting.

File 56-89-2, By Supervisor Britt: To consider rule change concerning roll call for introduction of matters. Referred to Rules Committee with request it be considered at the next meeting.

File 83-89-1, By Supervisor Kennedy: To consider recommendations concerning welfare reform proposal submitted by the North of Market Planning Coalition Homeless Task Force. Referred to Human Services Committee.

File 167-89-2, By Supervisor Hongisto: To consider Controller's audit of the San Francisco Market Corporation and Produce Market Association and to consider the City's relationship with these two organizations. Referred to Oversight Committee.

File 171-89-1, By Supervisor Hongisto: To consider possible pricing discrimination at San Francisco laundries and dry cleaners and to review status of District Attorney Consumer Fraud Division enforcement of state law prohibiting pricing discrimination. Referred to Human Services Committee.

Tuesday, January 17, 1989

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hongisto, that City Attorney provide opinion whether the City can require laundries and dry cleaners to post their price lists for consumer information and whether notice of such legislation and legislation prohibiting price discrimination be sent by one of the City's departments such as the Water Department or the Tax Collector's Office in one of the department's regular mailings.

By Supervisor Hongisto, that letter be sent to Director, San Francisco Market Corporation and Produce Market Association requesting copy of their budget reflecting all revenues, expenditures and surpluses.

By Supervisor Hongisto, that letter be sent to Director, Real Estate Department, requesting copy of lease used by the San Francisco Market Corporation and Produce Market Association for merchants and other tenants.

By Supervisor Hongisto, that letter be sent to Controller requesting copy of Controller's recent audit of the San Francisco Market Corporation and Produce Market Association.

By Supervisor Kennedy, that letter of inquiry be sent to Director of Health to determine the status of the A.I.D.S. hospital level at the former site of the U. S. Public Health Hospital.

By Supervisor Kennedy, that City Attorney prepare appropriate legislation which will prohibit downzoning except upon petition by 51 percent of the property owners in the zone.

By Supervisor Kennedy, that City Attorney review and update Article 3 (Hospitals) of the Health Code by preparing appropriate legislation amending Section 124.4 (release of liens) by deleting its first, second and fourth paragraphs.

By Supervisor Kennedy, that letter be sent to Director of Planning inquiring what the average permit processing time would be if no backlogs existed.

By Supervisor Nelder, that letter be sent to Director, Purchasing Department, requesting list of purchases made out of the City versus purchases made within the City for the last three years.

By Supervisor Walker, that Clerk of the Board investigate, with the input from the private sector, options for installing lighting in the Board of Supervisor's Chambers and Room 228 which would make it possible to film in these rooms without setting up temporary lighting for this purpose. The lighting in the Mayor's Office should be examined as a model. Any installations of new lights should conform with guidelines for historic preservation of the Chambers.

Tuesday, January 17, 1989

By Supervisor Ward, that City Attorney prepare appropriate legislation urging the Mayor to urge the Port Authority to review and recommend ways to improve services at the passenger terminal at the Port; particularly, parking, waiting areas, baggage handling and passenger lift equipment.

By Supervisor Gonzalez, that letter be sent to Director of Public Works requesting investigation of major litter problem extending from Wilson Street west to Rhine Street.

By Supervisor Gonzalez, that letter be sent to Controller and Budget Analyst requesting joint reports describing the chronology of events and actions taken to solve fiscal difficulties, beginning with initial deficit projections in 1987 and ending with the latest deficit projections in December 1988 and describing the events that led up to the deficit projections and explanation of the administrative and legislative actions taken to overcome the shortfall and actions that may be taken to avoid future deficits.

By Supervisor Gonzalez, that letter of inquiry be sent to Director of Public Works to determine how permit was approved for a check-cashing mobile unit/trailer in Chevron Gas Station parking lot at 30th and Mission Streets.

Motions Adopted

Motion that the Board award Certificates of Honor to the following:

Charles Duncan (Supervisor Walker)
Walter Fong (Supervisor Nelder)
William Greiner (Supervisor Hsieh)
Kiangsu Chekiang Association (Supervisor Hsieh)
Leon Medina (Supervisor Gonzalez)
On Lok Senior Health Services (Supervisor Hsieh)
Ester Pedrini (Supervisor Nelder)
Santiago Rose (Supervisor Hsieh)
Erica Stewart (Supervisor Maher)

File 6-89-3

No objection and motion adopted.

Motion that the Board award Letters of Commendation to the following:

The Gospel Salute to Dr. Martin Luther King, Jr.
(Supervisor Kennedy)
National Coalition of Hispanic Health and Human Services
Organization (Supervisors Gonzalez, Nelder)

File 8-89-3

No objection and motion adopted.

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Tuesday, January 17, 1989

Charles E. Owens (Supervisor Britt on behalf of the entire Board)
Jessie Bush (Supervisor Ward)
Ronald Katz (Supervisor Hongisto)
John E. Lawe (Supervisor Kennedy)

File 2-89-3

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of
3:04 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by
the Board of Supervisors on the matters stated, but not
necessarily the chronological sequence in which the matters
were taken up.

Tuesday, January 17, 1989

Approved by the Board of Supervisors on May 22, 1989.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 84

No. 4

Monday, January 23, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, January 23, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Hallinan, Hsieh, Maher, Nelder - 6.

Noted absent at first roll call:

Supervisors Gonzalez, Hongisto, Kennedy, Walker, Ward - 5.

Quorum present.

Supervisor Gonzalez excused from attendance. (See infra.)

Supervisor Hongisto was noted present at 2:04 p.m.

Supervisor Kennedy excused, on official leave of absence.

Supervisor Walker excused from attendance. (See infra.)

Supervisor Ward was noted present at 2:07 p.m.

Supervisor Gonzalez Excused

The Clerk announced that Supervisor Gonzalez requested to be excused from attending today's meeting.

Supervisor Maher, seconded by Supervisor Nelder, moved to excuse Supervisor Gonzalez from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 8.

Absent: Supervisors Gonzalez, Kennedy, Walker - 3.

Monday, January 23, 1989

Supervisor Walker Excused

The Clerk announced that Supervisor Walker had requested to be excused from attending today's meeting because of illness.

Supervisor Maher, seconded by Supervisor Hsieh, moved to excuse Supervisor Walker from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Maher, Nelder - 6.

Absent: Supervisors Gonzalez, Hongisto, Kennedy, Walker, Ward - 5.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Nelder, seconded by Supervisor Maher, moved that the Journal of Proceedings for Monday, August 8, 1988, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Maher, Nelder - 6.

Absent: Supervisors Gonzalez, Hongisto, Kennedy, Walker, Ward - 5.

CONSENT CALENDAR

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$30,000, Social Services, for professional and special services (to administer program to provide long-term housing for General Assistance recipients who are homeless), for fiscal year 1988-89. (Supervisor Walker)

File 101-88-69, Ordinance No.

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Geraldine Shea against the City and County by payment of \$70,500. (City Attorney)

Monday, January 23, 1989

File 45-89-1. Ordinance No.

(Superior Court No. 885-772.)

Passed for second reading.

Adopted

[Immediate Filling]

Resolution approving immediate filling of vacancy in the position of Q80 Captain of Police, Police Department. (Police Commission)

File 31-89-1. Resolution No. 63-89

Adopted.

Recommendation of Governmental Operations Committee

Finally Passed

[Curb Parking Regulations]

Ordinance amending Traffic Code Sections 11.6 and 33.4, by the deletions of any reference of Section 33.3.1 in the Metropolitan Traffic District. (Department of Public Works)

File 124-88-19, Ordinance No. 32-89

Finally passed.

Recommendations of Public Works Committee

Adopted

[Stop Intersections]

Resolution designating certain intersections as Stop intersections. (Public Works Committee)

File 18-88-27, Resolution No. 59-89

(Stop Intersections - Establish

Fifth Avenue and Anza Street, southeast and northwest corners, stopping Fifth Avenue traffic (makes this an all-way Stop);

Noe Street and Thirtieth Street, northwest corner, stopping Noe Street traffic.)

Adopted.

[Parking Regulations]

Resolution enacting parking regulations, various streets. (Public Works Committee)

Monday, January 23, 1989

File 19-88-17, Resolution No. 60-89

(Tow-Away No Parking Anytime - Establish

Tennessee Street, east side, from 8 to 16 feet south of Tubbs Street (8-foot zone);

No Parking Anytime - Establish

Buena Vista Avenue East, east side, from 420 to 480 feet south of Haight Street (60-foot zone);
Thomas Avenue, south side, between Hawes Street and Griffith Street;

Perpendicular (90-Degree) Parking - Establish

Fifth Avenue, east side, from 350 feet to 434 feet north of Lake Street;
Thomas Avenue, north side, between Hawes Street and Griffith Street.)

Adopted.

[Traffic Regulations]

Resolution enacting and rescinding traffic regulations, various streets. (Public Works Committee)

File 20-88-17, Resolution No. 61-89

(Tow-Away No Stopping 4:00 P.M. - 6:00 P.M., Monday Through Friday - Rescind

Second Street, both sides, between Mission Street and Howard Street;

Crosswalk Closure - Establish

Balboa Street and Great Highway, north crosswalk;
Pine Street and Stockton Street, west crosswalk.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Maher, Nelder - 6.

Absent: Supervisors Gonzalez, Hongisto, Kennedy, Walker, Ward - 5.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Monday, January 23, 1989

Finally Passed

[Government Funding]

Ordinance appropriating \$50,000, Police Department, for program project budget, Narcotics Flash Fund. (Controller)

File 101-88-67, Ordinance No. 30-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Maher, Nelder - 6.

Absent: Supervisors Gonzalez, Hongisto, Kennedy, Walker, Ward - 5.

[Government Funding]

Ordinance appropriating \$8,964, Police Department, for property rental; rescinding \$8,964 from permanent salaries - uniformed. (Controller)

File 101-88-68, Ordinance No. 31-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Maher, Nelder - 6.

Absent: Supervisors Gonzalez, Hongisto, Kennedy, Walker, Ward - 5.

[Special Assessment Lien Procedure]

Ordinance amending Administrative Code, establishing a special assessment lien procedure. (Supervisor Walker)

File 97-88-82, Ordinance No. 29-89

(Adds Article XX.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Maher, Nelder - 6.

Absent: Supervisors Gonzalez, Hongisto, Kennedy, Walker, Ward - 5.

Consideration Continued

[Constitutional Amendment]

Resolution supporting the amendment to the State Constitution proposed by the Board of Directors of the County Supervisors Association of California entitled "Local Government Fiscal

Monday, January 23, 1989

Stability Amendment". (Supervisor Kennedy)

File 12-88-27

Supervisor Nelder, seconded by Supervisor Alioto, moved to continue consideration to January 30, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Maher, Nelder - 6.

Absent: Supervisors Gonzalez, Hongisto, Kennedy, Walker, Ward - 5.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Sale of Sewer Easement]

Ordinance approving sale of a sanitary sewer easement to the County of San Mateo over lands of the San Francisco Water Department. (Real Estate Department)

File 82-89-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Maher, Nelder - 6.

Absent: Supervisors Gonzalez, Hongisto, Kennedy, Walker, Ward - 5.

Adopted

[Property Acquisition - Noise Easement]

Resolution authorizing completion of the South San Francisco Phase III Noise Easement Acquisition Program and the acquisition of 47 additional noise easements comprising the South San Francisco Phase IV Program. (Real Estate Department)

File 82-89-2, Resolution No. 64-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Maher, Nelder - 7.

Absent: Supervisors Gonzalez, Kennedy, Walker, Ward - 4.

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[South of Market]

Resolution supporting the Trust for Public Land efforts to acquire a site in the South of Market area for a new park. (Supervisor Maher)

File 168-89-1, Resolution No. 65-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Maher, Nelder - 7.

Absent: Supervisors Gonzalez, Kennedy, Walker, Ward - 4.

[Correcting Court Filing Fees]

Resolution amending Resolution No. 1002-88, which increased the filing fees in civil cases in the Superior Court for dissolutions, by decreasing the fees by \$10.00 to \$151.00. (Superior Court)

File 377-88-1.1, Resolution No. 66-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Maher, Nelder - 7.

Absent: Supervisors Gonzalez, Kennedy, Walker, Ward - 4.

Recommendations of Public Works Committee

Passed for Second Reading

[Fire Department Vehicles]

Ordinance amending Traffic Code, providing for parking of Fire Department vehicles on Hunt Street. (Department of Public Works)

File 124-88-17, Ordinance No.

(Adds Section 32.6.12.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Maher, Nelder - 7.

Absent: Supervisors Gonzalez, Kennedy, Walker, Ward - 4.

Adopted

[Muni Fare and Service Changes]

Resolution urging the Mayor to urge the Public Utilities Commission to provide for the posting of notices of proposed Muni fare and schedule changes pending before the Board of Supervisors in Municipal Railway public transportation vehicles. (Supervisor Britt)

Monday, January 23, 1989

File 7-88-13, Resolution No. 58-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 8.

Absent: Supervisors Gonzalez, Kennedy, Walker - 3.

[Airport Noise Committee Membership]

Resolution modifying membership of the Airport Noise Committee established, by Resolution No. 580-87, to monitor and respond to excess aircraft noise from San Francisco International Airport and to notify the Mayor and the Board of Supervisors whenever air traffic is rerouted over San Francisco, by adding a representative from the City Planning Department. (Supervisor Gonzalez)

File 27-88-36, Resolution No. 62-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 8.

Absent: Supervisors Gonzalez, Kennedy, Walker - 3.

[Appeal - Sidewalk Encroachment]

Motion disapproving decision of the Director of Public Works denying Minor Sidewalk Encroachment Permit, to legalize two 10-foot high fences at 945 Tompkins Avenue. (Public Works Committee)

File 24-88-9

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 8.

Absent: Supervisors Gonzalez, Kennedy, Walker - 3.

PUBLIC COMMENT

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the Public Comment portion of the meeting closed.

Monday, January 23, 1989

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-4, Resolution No. 56-89

(Mary E. Burns, General Manager, Recreation and Park, January 19-23; Paul Denning, member, Retirement Board, January 13-19; Robert H. Feldman, Executive Director, Board of Permit Appeals, January 27-30; Tommy Harris, member, Recreation and Park Commission, January 19-23; Michael Hennessey, Sheriff, March 5-14; Frank M. Jordan, Chief of Police, February 24-26; Connie O'Connor, member, Recreation and Park Commission, March 15-21; Louise H. Renne, City Attorney, January 19-23; Santiago Ruiz, member, Recreation and Park Commission, January 19-23; Doris M. Ward, member, Board of Supervisors, January 19-23; Dr. Raymond Weisberg, member, Retirement Board, January 13-15 and 26-28, 1989.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Maher, Nelder, Ward - 7.

Absent: Supervisors Gonzalez, Hongisto, Kennedy, Walker - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Called from Committee

[Payroll Expense and Business Tax Credits]

Ordinance amending Part III of the San Francisco Municipal Code by adding Sections 905B and 1005.5, to provide a payroll expense tax credit and business tax credit to employers and businesses establishing a child care program, or constructing a child care facility or making contributions to an employee's qualified care plan or paying in-lieu fee for child care. Credits shall be given only for costs incurred or contributions made on behalf of dependents of the taxpayer's employees who reside in San Francisco. (Supervisor Nelder)

File 127-88-22

Monday, January 23, 1989

Called from Finance Committee by Supervisor Nelder, with direction to schedule for Board meeting of January 30, 1989.

Referred to Committee

[Proposition 90]

Ordinance amending Administrative Code by adding Section 10.3-4, adopting the provisions of Subdivision (a) of Section 2 of Article XIII A of the California Constitution, as amended at the November 8, 1988 election, allowing homeowners over the age of 55 to transfer base year values of their previous primary residence in another California county to a new primary residence purchased or constructed in San Francisco after the effective date of this ordinance. (Supervisors Kennedy and Walker presented.) Referred to Finance Committee with request it be considered at the January 25, 1989 meeting.

File 174-89-1

[Interim Controls - Mid-Market]

Resolution extending for six months interim zoning controls imposed by Resolution No. 706-87 changing the height and bulk limits for the Mid-Market area generally bounded on the west by Ninth Street, on the east by Seventh Street, on the north by Market Street and on the south by Mission Street, from 120-X, 150-S, 180-S and 240-S to 90-X, 90-X to 120-F and 150-S, and creating exceptions to height limits in the area. (Supervisor Walker presented.) Referred to Land Use Committee.

File 111-89-2

[Gun Control]

Resolution urging the State Legislature to enact legislation banning para-military weapons such as the AK-47 semi-automatic rifle. (Supervisor Hongisto presented.) Referred to Human Services Committee.

File 12-89-1

Adopted

[Lease Sale #119]

Resolution responding to the Minerals Management Service Notice of Intent to prepare an environmental impact statement for Lease Sale #119.

File 175-89-1, Resolution No. 57-89

Supervisor Britt presented for immediate adoption.

Supervisor Ward, seconded by Supervisor Maher, moved that the need to take action arose subsequent to the publication of the calendar.

Monday, January 23, 1989

No objection and motion carried.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Maher, Nelder, Ward - 7.

Absent: Supervisors Gonzalez, Hongisto, Kennedy, Walker - 4.

Referred to Committee

[Government Funding]

Resolution authorizing the Purchaser on behalf of the City Attorney to enter into a time purchase contract for new furniture to be placed in quarters to be occupied by personnel of the City Attorney. (Supervisor Walker presented.) Referred to Finance Committee.

File 176-89-1

Requests for Hearings

File 56-89-3, By Supervisor Walker: To consider requiring public comment at close of all Board of Supervisors' committee hearings. Referred to Rules Committee.

File 100-89-3, By Supervisor Britt: To consider 1989-1990 budget of the Department of the Board of Supervisors. Referred to Rules Committee.

File 100-89-4, By Supervisor Kennedy: To consider County Supervisors Association of California proposed budget. Referred to Rules Committee.

File 174-89-2, By Supervisor Kennedy: To consider Proposition 99, Tobacco Tax and Health Protection Act, overview and allocations. Referred to Human Services Committee.

File 177-89-1, By Supervisor Hsieh: To consider updating the 1913 report on underground water supply in San Francisco, including the present and probable yield. Referred to Public Works Committee.

File 178-89-1, By Supervisor Hsieh: To consider creating parking permits for members of the San Francisco Board of Supervisors to allow for parking of their vehicles on all public property, including publicly owned lots and on public streets, excluding red zone parking. Referred to Public Works Committee.

Request

File 100-89-2, By Supervisor Walker: Discussion by Finance Committee members of process for considering the 1989-90 City budget. Referred to Finance Committee with request it be considered at the January 25, 1989 meeting.

Monday, January 23, 1989

Motion

Referred to Committee

Motion directing the Clerk of the Board of Supervisors to negotiate a contract for continued provision of budget analyst services to the Board of Supervisors. (Supervisor Britt presented.) Referred to Rules Committee.

File 98-89-1.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hongisto, that letter of inquiry be sent to Director of Planning concerning complaints by neighbors of Hamlin School regarding alleged violation of requirements of their conditional use permit.

By Supervisor Hsieh, that City Attorney prepare appropriate legislation requiring the retrofit of all highrise office buildings in San Francisco with sprinklers.

By Supervisor Hsieh, that City Attorney prepare appropriate legislation to amend Health Code Section 265.3, alcohol consumption warning signs, by altering sign size and placement requirements for mini-bars.

By Supervisor Hsieh, that City Attorney prepare appropriate legislation which would create parking permits for members of the San Francisco Board of Supervisors to park their vehicles on all public property, including publicly-owned lots and on public streets, excluding red zones.

By Supervisor Hsieh, that City Attorney prepare appropriate legislation to urge the Public Utilities Commission and Water Department to update the 1913 report on underground water supply in San Francisco, including the present and probable yield.

By Supervisor Kennedy, that letter be sent to Human Rights Commission transmitting copies of correspondence and inquiring whether its allegations of minority business enterprise fronts have been investigated.

By Supervisor Walker, that City Attorney draft appropriate legislation to amend the Residential Hotel Conversion Ordinance to permit the following: private right of action (by non-residents) to sue for violations of the ordinance; increase the fee for converting hotel units, to require payment of 80 percent of the construction costs of replacement units; and increased penalties for illegal conversions.

By Supervisor Kennedy, that City Attorney review State Proposition 90, Assessed Valuation, Replacement Dwellings (November 1988

Monday, January 23, 1989

election) and advise whether appropriate consultations with the local affected agencies have been performed; and if not, advise on the appropriate method to perform such consultations as expeditiously as possible.

By Supervisor Kennedy, that City Attorney draft charter amendment amending Section 2.100 to provide for an annual cost of living increase adjustment to members' base salary calculated retroactively from 1982.

By Supervisor Kennedy, that City Attorney prepare appropriate legislation which will require developers to pay into a fund for planting and maintenance of trees.

By Supervisor Kennedy, that City Attorney advise how members of the Board may participate in the Social Security program.

By Supervisor Kennedy, that letter be sent to General Manager, Public Utilities Commission, transmitting copy of correspondence concerning the morning inbound 38BX Geary bus line run and inquiring whether this matter has been investigated.

By Supervisor Kennedy, that letter be sent to General Manager, Recreation and Park Department, inquiring whether the leash law is being enforced on park grounds.

By Supervisor Kennedy, that letter be sent to the Health Commission forwarding copy of correspondence concerning incident on 12/22/88 involving request for paramedic assistance and inquired whether the concerns expressed in the letter have been investigated.

By Supervisor Kennedy, that letter be sent to Chief of Police inquiring whether appropriate commendations may be conveyed to Lt. Richard Holder and his officers, Park Station, for their efforts in the neighborhood.

By Supervisor Kennedy, that letter be sent to Health Commission to inquire whether a representative will be attending the February 3, 1989 meeting of the Health Policy Subcommittee of the County Supervisors Association of California in order to present San Francisco's interests during discussion of Proposition 99, Tobacco Tax and Health Protection Act, implementation and allocation.

By Supervisor Kennedy, that letters be sent to the Commission on the Aging and the Advisory Council to Commission on the Aging transmitting copy of correspondence concerning a free volunteer service and inquires whether copies of announcement of the new service can be sent to all senior centers in San Francisco.

Motions Adopted

Motion that the Board award Certificates of Honor to the following:

Elizabeth Klinke (Supervisor Walker)
Kishore Kripalani (Supervisor Hsieh)
John J. Nerney (Supervisor Walker)
Penny O'Leary (Supervisor Walker)

Monday, January 23, 1989

Pi Ra (Supervisor Walker)
Germaine Wong (Supervisor Hsieh)
Marina Yow (Supervisor Hsieh)

File 6-89-4

No objection and motion adopted.

Motion that the Board award Letters of Commendation to the following:

Malcolm Thornley, Jr. (Supervisor Britt)
Stephen Cornell (Supervisor Britt)
Lesley Leonhardt (Supervisor Britt)
Mary Patterson (Supervisor Britt)
Darshan Singh (Supervisor Britt)
Nina Pellegrini (Supervisor Britt)
Michelle Schulz (Supervisor Britt)
Harold Hoogasian (Supervisor Britt)
Tiffany Farr (Supervisor Britt)
Robert Bacci (Supervisor Britt)
Scott Hauge (Supervisor Britt)
Terry Graham (Supervisor Britt)
Steelcase, Inc. (Supervisor Nelder)

File 8-89-4

No objection and motion adopted.

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Thuy Tran (Supervisor Hallinan on behalf of entire Board)
Sokhim An (Supervisor Hallinan on behalf of entire Board)
Oeun Lim (Supervisor Hallinan on behalf of entire Board)
Ram Chun (Supervisor Hallinan on behalf of entire Board)
Rathanar Or (Supervisor Hallinan on behalf of entire Board)

File 2-89-4

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 2:19 p.m. adjourned.

John L. Taylor, Clerk

Monday, January 23, 1989

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 30, 1989

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, January 30, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, January 30, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:09 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Nelder, Walker - 7.

Noted absent at first roll call:

Supervisors Hongisto, Hsieh, Maher, Ward - 4.

Quorum present.

Supervisor Hongisto was noted present at 2:11 p.m.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Maher was noted present at 2:19 p.m.

Supervisor Ward was noted present at 2:10 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Walker, seconded by Supervisor Kennedy, moved that the Journal of Proceedings for Monday, August 15, 1988, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Nelder, Walker, Ward - 9.

Absent: Supervisors Hsieh, Maher - 2.

CONSENT CALENDAR

Monday, January 30, 1989

Severed from Consent Calendar

Supervisor Nelder requested that the following measures be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Geraldine Shea against the City and County by payment of \$70,500. (City Attorney)

File 45-89-1, Ordinance No. 33-89

(Superior Court No. 885-772.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Hsieh, Maher, Ward - 3.

Recommendation of Governmental Operations Committee

Adopted

[Lease of Property]

Resolution authorizing amendment of lease of real property at 1390 Market Street for the City Attorney's Office. (Real Estate Department)

File 64-89-1, Resolution No. 75-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Walker - 7.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Hsieh, Maher, Ward - 3.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Monday, January 30, 1989

Finally Passed

[Government Funding]

Ordinance appropriating \$30,000, Social Services, for professional and special services (to administer program to provide long-term housing for General Assistance recipients who are homeless), for fiscal year 1988-89. (Supervisor Walker)

File 101-88-69, Ordinance No. 35-89

Finally passed.

Recommendations of Governmental Operations Committee

Adopted

[Parking of Vehicles]

Resolution extending boundaries of Residential Permit Parking Area "I" in the Bartlett Street Area to include Horace Mann Middle School. (Department of Public Works)

File 40-88-24, Resolution No. 72-89

Adopted.

[Parking of Vehicles]

Resolution extending boundaries of Residential Permit Parking Area "J" in the Parnassus Heights Area and adding portion of Lincoln Way to the list of streets upon which time limitations shall apply. (Department of Public Works)

File 40-88-25, Resolution No. 73-89

Adopted.

[Lease of Property]

Resolution authorizing extension of an existing lease of real property at 1254 Market Street for Mayor's Office of Community Development. (Real Estate Department)

File 64-88-37, Resolution No. 76-89

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to apply for, accept and expend a grant up to the amount of \$105,595 from, and enter into a cooperative agreement with, the State of California, Department of Alcohol and Drug Programs for the continuation of the School Community Primary

Monday, January 30, 1989

Prevention Project and authorizing the Director of Health to execute said agreement. (Department of Public Health)

File 146-88-75, Resolution No. 78-89

Adopted.

[Grant - State Funds]

Resolution authorizing the Recreation and Park Department to apply for, accept and expend \$50,000 of grant funds for resource enhancement planning under the Coastal Conservancy Resource Enhancement Program for Sharp Park. (Recreation and Park Department)

File 150-88-7, Resolution No. 79-89

Adopted.

[Parking of Vehicles]

Resolution amending boundaries of Residential Permit Parking Area "O" in the West Portal/Saint Francis Wood Area to include Herbert Hoover Middle School. (Department of Public Works)

File 40-89-1, Resolution No. 71-89

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Nelder, Walker, Ward - 9.

Absent: Supervisors Hsieh, Maher - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Adopted

[Constitutional Amendment]

Resolution supporting the amendment to the State Constitution proposed by the Board of Directors of the County Supervisors Association of California entitled "Local Government Fiscal Stability Amendment". (Supervisor Kennedy)

Monday, January 30, 1989

File 12-88-27, Resolution No. 95-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Kennedy, Maher, Nelder, Walker, Ward, - 9.

Noes: Supervisor Hallinan - 1.

Absent: Supervisor Hsieh - 1.

Motion urging the Mayor to consider and submit a supplemental appropriation in the amount of \$6,000 as part of Phase I of Local Government Fiscal Stability Amendment.

File 12-88-27.1

Supervisor Kennedy presented and, seconded by Supervisor Maher, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 8.

Noes: Supervisor Hallinan - 1.

Absent: Supervisors Gonzalez, Hsieh - 2.

Finally Passed

[Sale of Sewer Easement]

Ordinance approving sale of a sanitary sewer easement to the County of San Mateo over lands of the San Francisco Water Department.
(Real Estate Department)

File 82-89-1, Ordinance No. 34-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

Recommendations of Public Works Committee

Finally Passed

[Fire Department Vehicles]

Ordinance amending Traffic Code, providing for parking of Fire Department vehicles on Hunt Street. (Department of Public Works)

Monday, January 30, 1989

File 124-88-17, Ordinance No. 36-89

(Adds Section 32.6.12.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

NEW BUSINESS

Recommendations of Governmental Operations Committee

Passed for Second Reading

[Garage Lease Documents]

Ordinance approving and adopting Vallejo Street Garage legal documents and authorization to lease. (Real Estate Department)

File 47-89-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

Adopted

[Sublease of Property]

Resolution approving sublease of land adjacent to the Diamond Market in the Glen Park Area for metered off-street parking and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Gonzalez)

File 47-88-11, Resolution No. 74-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

Amended;

Rereferred to Committee as amended

[Street Vacation]

Resolution declaring intention of Board of Supervisors to vacate a portion of the southerly half of Wallace Avenue between Hawes and

Monday, January 30, 1989

Ingalls Streets for inclusion in Candlestick Point Shoreline Park, and setting the date of February 27, 1989 for hearing all persons interested in the proposed vacation and ((incorporating findings)) adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 188-88-8, Resolution No.

Supervisor Kennedy, seconded by Supervisor Walker, moved to amend title, page one, line five, by replacing "incorporating findings" with "adopting findings pursuant to City Planning Code Section 101.1."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

Supervisor Gonzalez, seconded by Supervisor Nelder, moved to rerefer to Committee.

Motion to rerefer to Committee as amended adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

Adopted

[Social Services Contract]
Resolution authorizing the modification to an agreement in the amount of \$4,437 between the City and County and the State of California Department of Education for participation by the City and County in the State's Child Care and Development Program for fiscal year 1988-89. (Department of Social Services)

File 302-88-11, Resolution No. 80-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

Recommendations of Land Use Committee

Passed for Second Reading as Amended

Monday, January 30, 1989

[Bernal Heights East and South Slope Special Use District]
Ordinance amending City Planning Code and amending the Zoning Map to create a Bernal Heights East and South Slope Special Use District, and to prohibit the approval of permits for construction of new dwelling units for a twelve month period and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Walker)

File 36-88-13, Ordinance No.

(Adds Section 249.6.)

(Approved by City Planning Resolution No. 11562; categorically exempt from environmental review.)

Supervisor Kennedy, seconded by Supervisor Gonzalez, moved to amend title, page one, line six, by adding "and adopting findings pursuant to City Planning Code Section 101.1" after "period".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

Passed for Second Reading

[Landmark]
Ordinance designating the Southern Pacific Company Hospital complex at 1400 Fell Street, 1509, 1555 and 1599 Hayes Streets as a landmark pursuant to Article 10 of the City Planning Code. (Department of City Planning)

File 90-88-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

[Landmark]
Ordinance designating the Oakley Residence and Flats at 200-202 Fair Oaks Street as a landmark pursuant to Article 10 of the City Planning Code. (Department of City Planning)

Monday, January 30, 1989

File 90-89-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

From Land Use Committee Without Recommendation

Adopted

[Final Negative Declaration - Lakeshore Plaza]
Resolution adopting Final Negative Declaration, finding and determining that a map change from NC-1 to NC-S, a height reclassification from the height of 26-X to 26-40-X, text amendments adding Section 253.3 providing for the conditional use authorization of building heights above 26 feet not exceeding 40 feet, text amendments deleting the provisions of the Lakeshore Plaza Special Use District from Section 710 (NC-1), adding the provisions of the Lakeshore Plaza Special Use District to Section 713 (NC-S), amending Sections 145.2, 316.2, 710, 713 and 780.1, conditional use for authorization for planned unit development and project authorization under the office development limitation program for property located on the block surrounded by Sloat Boulevard, Everglade Drive, Ocean Avenue, and Clearfield Drive, Lot 1 in Assessor's Block 7255 will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Department of City Planning)

File 36-88-14, Resolution No. 67-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Ward - 9.

Absent: Supervisor Hsieh, Walker - 2.

Passed for Second Reading as Amended

[Zoning Map Amendment - Lakeshore Plaza]
Ordinance amending City Planning Code by adopting changes in property use classification as amendments to the Zoning Map of the City and County of San Francisco of property located on the block surrounded by Sloat Boulevard, Everglade Drive, Ocean Avenue, and Clearfield Drive, being Lot 1 in Assessor's Block 7255, from NC-1 (Neighborhood Commercial Cluster) Zoning District to NC-S (Neighborhood Commercial Shopping Center) Zoning District, and from a Height District of 26-X to a Height District of 26-40-X and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning)

Monday, January 30, 1989

File 36-88-14.1, Ordinance No.

Supervisor Kennedy, seconded by Supervisor Maher, moved to amend title, page one, line eight, by adding ", and adopting findings pursuant to City Planning Code Section 101.1" after "26-40-X".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Hongisto, Hsieh - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

{Lakeshore Plaza Special Use District}

Ordinance amending City Planning Code by deleting specific provisions of the Lakeshore Plaza Special Use District from Section 710 (NC-1 District), adding specific provisions of the Lakeshore Plaza Special Use District to Section 713 (NC-S District), adding Section 253.3 providing for the conditional use approval of heights over 26 feet not exceeding 40 feet, and amending Sections 145.2, 316.2, 710, 713, and 780.1 for the property located on the block surrounded by Sloat Boulevard, Everglade Drive, Ocean Avenue, and Clearfield Drive, being Lot 1 in Assessor's Block 7255 and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning)

File 115-88-13, Ordinance No.

Supervisor Kennedy, seconded by Supervisor Maher, moved to amend title, page one, line nine, by adding ", and adopting findings pursuant to City Planning Code Section 101.1" after "7255".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Hongisto, Hsieh - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

Monday, January 30, 1989

Adopted

[Lakeshore Plaza]

Resolution rescinding Board of Supervisors Resolution No. 601-66 previously adopted to allow a parking lot and to set forth conditions for operation and maintenance of the Lakeshore Plaza Shopping Center; companion measure to files 36-88-14, 36-88-14.1 and 115-88-13. (Department of City Planning)

File 115-88-13.1, Resolution No. 77-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

Called from Finance Committee
By Supervisor Nelder

Consideration Continued

[Payroll Expense and Business Tax Credits]

Ordinance amending Part III of the Municipal Code, to provide a payroll expense tax credit and business tax credit to employers and businesses establishing a child care program, or constructing a child care facility or making contributions to an employee's qualified care plan or paying in-lieu fee for child care. Credits shall be given only for costs incurred or contributions made on behalf of dependents of the taxpayer's employees who reside in San Francisco. (Supervisor Nelder)

File 127-88-22, Ordinance No.

(Adds Sections 905B and 1005.5.)

Supervisor Nelder, seconded by Supervisor Hallinan, moved to continue consideration to February 14, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Maher, Nelder, Ward - 7.

Noes: Supervisors Britt, Kennedy, Walker - 3.

Absent: Supervisor Hsieh - 1.

From the Clerk

Adopted

Monday, January 30, 1989

[New Condominium Project]

Motion approving final map of 20-40 Beideman, a condominium project, being a resubdivision of Lot 36 in Assessor's Block No. 1100; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-89-1

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Nelder, Walker, Ward - 9.

Absent: Supervisors Hsieh, Maher - 2.

Recess

At the request of President Britt, the Board recessed at the hour of 3:25 p.m. to convene in closed session pursuant to Government Code Section 54957.6 for the purpose of reviewing and instructing the City's designated employee relations representatives regarding employee matters.

Reconvening of the Board

The Board, at the hour of 3:55 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Nelder, Walker, Ward - 9.

Noted absent:

Supervisors Hsieh, Maher - 2.

Quorum present.

Supervisor Hsieh excused. (See supra.)

Supervisor Maher was noted present at 4:04 p.m.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with its employee relations representatives as provided in the Government Code.

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SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to the City Planning Commission by its Motion No. 11545, dated December 8, 1988, approving Conditional Use Application No. 88.287CE, authorizing the development of the Lakeshore Plaza Shopping Center within an NC-S Neighborhood Commercial Shopping District, and Lakeshore Plaza Special Use District of property located at 1501 Sloat Boulevard.

File 37-89-1

(Appeal filed January 5, 1989.)

The following persons were sworn in and granted privilege of the floor:

Appellant:

Nadine Rushakoff, 2211 Morningside Drive.

Respondents:

Bob Passmore, representing Department of City Planning and City Planning Commission;

Gary Ward, Vice President, Reininga Corporation;

Larry Susman, attorney for developer.

From the Clerk

Adopted

[Environmental Review]

Motion certifying review of Final Negative Declaration relating to proposed conditional use of property at 1501 Sloat Boulevard (Lakeshore Plaza Shopping Center).

File 37-89-1.4

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

Tabled

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 11545, dated December 8, 1988, approving Application No. 88.287CE, for conditional use authorization of property located at

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1501 Sloat Boulevard (Lakeshore Plaza Shopping Center) and adopting findings pursuant to City Planning Code Section 101.1.

File 37-89-1.1

Supervisor Walker, seconded by Supervisor Hongisto, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

Adopted as Amended

[Zoning Appeal]

((Motion disapproving decision of the City Planning Commission by its Motion 11545, dated December 8, 1988, approving Application No. 88.287CE, for conditional use authorization of property at 1501 Sloat Boulevard (Lakeshore Plaza Shopping Center).))

Motion disapproving decision of the City Planning Commission by its Motion No. 11545, approving Application No. 88.287CE for conditional use of property located at 1501 Sloat Boulevard (Lakeshore Plaza Shopping Center) and approving granting a conditional use permit subject to conditions imposed by City Planning Commission and additional conditions and adopting findings pursuant to City Planning Code Section 101.1.

File 37-89-1.2

Supervisor Maher, seconded by Supervisor Nelder, moved to amend to disapprove decision of City Planning and granting conditional use permit subject to conditions imposed by City Planning Commission with additional conditions as follows:

"The applicant shall be restricted in leasing the two (2) large fast food restaurants authorized in condition No. 3 of Exhibit A to Commission Motion No. 11545 to the following uses: pizza parlor; yogurt store; delicatessen; bakery; donut shop; ice cream; sandwich; barbeque; and candy; and nuts. The applicant has agreed to utilize reasonable good faith efforts to lease the two large fast food restaurants authorized by the Commission for the above uses, and has agreed not to seek modification of this condition until it has exhausted all reasonable good faith efforts at obtaining said tenants."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

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Supervisor Ward, seconded by Supervisor Nelder, moved to further amend by adding the following conditions:

"Prior to issuance of the first building permit or the first addendum to a site permit, as applicable, Lucky Stores, Inc., shall:

a. Consult with appropriate representatives of minority and women communities in the process of developing Lucky Stores, Inc.'s plan to recruit and hire qualified minorities and women for its new store at Lakeshore Plaza. Any such plan shall include provision for advance notice to minority and women communities of hiring opportunities related to the opening of the new store.

b. Assure that potential contractors for construction of the new store pursue and include minority business enterprise and/or women's business enterprise subcontractors in their construction bids. Lucky Stores, Inc. shall include within its bid packages for its potential constructors a list of minority business enterprises and women business enterprises approved by the San Francisco Human Rights Commission."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

The roll was then taken on the pending motion and it was adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed conditional use authorization of property located at 1501 Sloat Boulevard (Lakeshore Plaza Shopping Center).

File 37-89-1.3

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hsieh - 1.

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PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

John Grennel;
Ace Washington.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-5, Resolution No. 68-89

(Frank M. Jordan, Chief of Police, February 24-26; Willie B. Kennedy, member, Board of Supervisors, February 7-9 and 11-12; Louise H. Renne, City Attorney, January 25-27, 1989.)

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Powell Street, between Columbus Avenue and Union Street, from 9:00 a.m. to 4:00 p.m., Monday, February 20, 1989, for the Annual Penny Pitch Tournament sponsored by the Washington Square Bar and Grill to raise funds for St. Anthony's Dining Room. (Supervisor Maher)

File 42-89-2, Resolution No. 70-89

Adopted.

[Reclassification of Property]

Resolution extending to April 7, 1989 the deadline for the City Planning Commission to render its decision on a Height and Bulk Zoning Map Amendment for Block 147, Lots 22, 23 and 25 initiated by the Board of Supervisors. (Supervisor Ward)

File 36-88-6.3, Resolution No. 69-89

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Walker - 6.

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Absent: Supervisor Hongisto, Hsieh, Maher, Nelder, Ward - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Public Works Contract]

Ordinance amending San Francisco Administrative Code Section 6.47, providing that City Departments shall reject the bids of prime contractors when they or their subcontractors are not signatories to a recognized apprenticeship program or cannot gain access to the necessary equipment or do not possess the necessary experience or financial qualifications to perform the contract. (Supervisor Nelder presented.) Referred to Governmental Operations Committee with request it be considered at special meeting on February 15, 1989.

File 97-88-29.1

[Stadium Operator Admission Tax]

Draft ordinance amending Part III, San Francisco Municipal Code, by amending Section 807, providing an exemption from the Stadium Operator Admission Tax for tickets sold at twelve dollars and ninety-nine cents (\$12.99) or less, applicable to sales on or after January 1, 1989. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 127-89-1

[State Legislation]

Resolution urging the California State Legislature to support Assembly Bill 8, to modify the existing State Vehicle Code to require all California motorcyclists to wear approved safety helmets. (Supervisor Hongisto presented.) Referred to Human Services Committee.

File 12-89-2

[San Diego Litigation]

Resolution urging the City Attorney to intervene in the litigation brought by the County of San Diego seeking to invalidate the current allocation of mental health, drug and alcohol funds and state hospital beds. (Supervisor Kennedy presented.) Referred to Finance Committee with request it be considered as soon as possible.

File 46-89-1

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By Supervisor Kennedy, that letter be sent to Director of Public Health requesting investigation of garbage dumping at vacant lot on the former site of Lucky Store at Laguna Street.

By Supervisor Kennedy, that letter be sent to the Health Commission inquiring whether a status report may be made concerning the number of calls to "911" and the elapsed time within which each call was responded to by the emergency service provider.

By Supervisor Kennedy, that letters be sent to Chief of Police and District Attorney forwarding copy of correspondence concerning Polk Street Tiffany and inquired whether this business which advertised a going-out-of-business sale in July 1988 and whose permit expired on October 7, 1988 can continue to operate.

By Supervisor Gonzalez that letter be sent to Chief of Police concerning parking problems every Sunday from 9:00 a.m. to 12:30 p.m. at Zion Lutheran Church located at Ninth Avenue and Anza Street and inquire whether the following suggestion may help alleviate them: park two rows of cars down the middle of Anza Street, from Ninth Avenue to Tenth Avenue, leaving space for a single line of traffic in each direction, between the cars parked down the middle of the street and the cars parked along the curb.

By Supervisor Gonzalez, that letter be sent to Chief of Police concerning escalating crime problems in Bernal Heights and inquire whether plans may be launched to provide more officers in the area.

By Supervisor Gonzalez, that letter be sent to General Manager, Recreation and Park Department, inquiring whether plans to close the Photo Center, after 34 years of service, can be deferred and/or stopped.

By Supervisor Gonzalez, that City Attorney prepare appropriate legislation supporting AB 334 relating to sentencing of persons who commit assault with a firearm to 12 years and banning the use of semi-automatic weapons.

By Supervisor Nelder, that City Attorney prepare appropriate legislation in which campaign collection and reporting laws be brought into compliance with State codes and that where they are in conflict, that State codes take precedence.

By Supervisor Walker, that City Attorney provide opinion regarding the applicability of Article 34, California Constitution, to the Yerba Buena Plaza West Housing Project.

Motions Adopted

Motion that the Board award Certificates of Honor to the following:

Asian American Journalists Association (Supervisor Britt)
Ernest Besig (Supervisor Nelder)
Erica Stewart (Supervisor Maher)
Marjorie G. Stern (Supervisor Walker)
Housing Development and Neighborhood Preservation Corporation
(Supervisor Gonzalez)

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Al Borvice (Supervisors Gonzalez, Kennedy, Britt, Walker, Nelder, Hongisto)
Anna B. Metwally (Supervisors Gonzalez, Nelder, Kennedy, Hongisto)
Ken Thompson (Supervisor Hongisto)
Demosthenes (Demo) Adams (Supervisors Gonzalez, Hongisto)

File 6-89-5

No objection and motion adopted.

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

John Abney (Supervisor Walker)
James Clay (Supervisor Maher)
Floyd P. Johnson (Supervisor Maher)
Ralphael Dorsey Smith (Supervisor Kennedy)
Opal Gratten (Supervisor Kennedy)
Helen Jackson (Supervisor Kennedy)
Johnie Mae Crowell (Supervisor Kennedy)

File 2-89-5

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:54 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, January 30, 1989

Approved by the Board of Supervisors on June 5, 1989

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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No. 6

Monday, February 6, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

DOCUMENTS DEPT.

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, February 6, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:08 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker - 8.

Noted absent at first roll call:

Supervisors Hongisto, Nelder, Ward - 3.

Quorum present.

Supervisor Hongisto was noted present at 2:10 p.m.

Supervisor Nelder was excused. (See infra.)

Supervisor Ward was noted present at 2:15 p.m.

Supervisor Nelder Excused

The President announced that Supervisor Nelder had requested to be excused from attending today's meeting.

Supervisor Walker, seconded by Supervisor Maher, moved to excuse Supervisor Nelder from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Absent: Supervisor Nelder - 1.

APPROVAL OF JOURNAL

Monday, February 6, 1989

There being no errors, corrections or omissions, Supervisor Walker, seconded by Supervisor Kennedy, moved that the Journal of Proceedings for Monday, August 22, 1988, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Absent: Supervisor Nelder - 1.

Presentation Made

In celebration of the 79th Anniversary of the founding of the Boys Scout, President Britt recognized a delegation of scouts from a number of troops around San Francisco who presented various past flags of the United States and led the audience in the pledge of allegiance to the flag.

Presentation of Guests

Supervisor Britt introduced and welcomed Brian Willson, war protester, his wife, Holley; and Dora Lopez and her 5-year old son, Eric, survivors of a Contra ambush, who are in San Francisco for medical needs.

Presentation of Guests

Supervisor Kennedy introduced and welcomed Supervisor Voris Brumfield, Lake County, and Mr. John Hinrichs II, General Manager, Redwood Empire Association, who are here representing the North Coastal Counties Supervisors Association.

Suspension of the Rules

Supervisor Kennedy, seconded by Supervisor Gonzalez, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Supervisor Brumfield.

No objection, and motion carried.

Supervisor Brumfield gave a brief report and invited members to attend the North Coastal Counties Supervisors Association spring conference, March 2-3, 1989, in Napa.

CONSENT CALENDAR

Monday, February 6, 1989

Severed from Consent Calendar

Supervisor Hallinan requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of James Tahsini, et al., against the City and County by payment of \$35,000. (City Attorney)

File 45-89-3, Ordinance No.

(U.S. District Court No. C88-2107 CAL.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisor Hongisto, Nelder - 2.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Jairo V. Perez against the City and County by payment of \$7,500. (City Attorney)

File 45-89-2, Ordinance No.

(Superior Court No. 892-173.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Joseph Balistreri, against the City and County by payment of \$9,789.37. (City Attorney)

File 45-89-4, Ordinance No.

Monday, February 6, 1989

(Municipal Court No. 008-411.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Equal Employment Opportunity Commission against San Francisco Police Department, et al., by payment of \$160,000. (City Attorney)

File 45-89-6, Ordinance No.

(United States District Court No. C86-1328 EFL.)

Passed for second reading.

Adopted

[Immediate Filling]

Resolution approving immediate filling of vacant position of 1632 Senior Account Clerk, Bureau of Claims and Contracts, Public Utilities Commission. (Public Utilities Commission)

File 31-89-2, Resolution No. 84-89

Adopted.

[Immediate Filling]

Resolution approving immediate filling of vacated position of 8310 Sheriff's Lieutenant, Sheriff's Department. (Sheriff Department)

File 31-89-3, Resolution No. 82-89

Adopted.

Recommendations of Land Use Committee

Finally Passed

[Landmark]

Ordinance designating the Oakley Residence and Flats at 200-202 Fair Oaks Street as a landmark pursuant to Article 10 of the City Planning Code. (Department of City Planning)

File 90-89-1, Ordinance No. 40-89

Finally passed.

[Landmark]

Ordinance designating the Southern Pacific Company Hospital complex

Monday, February 6, 1989

at 1400 Fell Street, 1509, 1555 and 1599 Hayes Streets as a landmark pursuant to Article 10 of the City Planning Code. (Department of City Planning)

File 90-88-3, Ordinance No. 41-89

Finally passed.

Recommendations of Governmental Operations Committee

Finally Passed

[Garage Lease Documents]

Ordinance approving and adopting Vallejo Street Garage legal documents and authorization to lease. (Real Estate Department)

File 47-89-1, Ordinance No. 39-89

Finally passed.

Adopted

[Lease of Real Property]

Resolution authorizing execution of renewal lease of real property at 1111 Market Street, fourth floor for the Department of Public Health for the AIDS Program (research and surveillance). (Real Estate Department)

File 64-89-2, Resolution No. 86-89

Adopted.

[Lease of Real Property]

Resolution authorizing amendment and extension of existing lease of real property at 1111 Market Street, second floor, for the Department of Public Health for the AIDS Program (research and surveillance). (Real Estate Department)

File 64-89-3, Resolution No. 87-89

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to apply for, accept and expend a grant of \$47,211 from the Department of Health and Human Services for the long-term follow up of Hepatitis B Vaccine recipients in San Francisco. (Department of Public Health)

File 146-89-3, Resolution No. 93-89

Monday, February 6, 1989

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Absent: Supervisor Nelder - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Land Use Committee

Finally Passed

[Bernal Heights East and South Slope Special Use District]
Ordinance amending City Planning Code and amending the Zoning Map to create a Bernal Heights East and South Slope Special Use District, and to prohibit the approval of permits for construction of new dwelling units for a twelve month period and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Walker)

File 36-88-13, Ordinance No. 37-89

(Adds Section 249.6.)

(Approved by City Planning Resolution No. 11562; categorically exempt from environmental review.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Absent: Supervisor Nelder - 1.

From Land Use Committee Without Recommendation

Finally Passed

[Zoning Map Amendment - Lakeshore Plaza]
Ordinance amending City Planning Code by adopting changes in property use classification as amendments to the Zoning Map of the City and County of San Francisco of property located on the block surrounded by Sloat Boulevard, Everglade Drive, Ocean Avenue, and Clearfield Drive, being Lot 1 in Assessor's Block 7255, from NC-1 (Neighborhood Commercial Cluster) Zoning District to NC-S (Neighborhood Commercial Shopping Center) Zoning District, and from

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a Height District of 26-X to a Height District of 26-40-X and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning)

File 36-88-14.1, Ordinance No. 38-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Absent: Supervisor Nelder - 1.

[Lakeshore Plaza Special Use District]
Ordinance amending City Planning Code by deleting specific provisions of the Lakeshore Plaza Special Use District from Section 710 (NC-1 District), adding specific provisions of the Lakeshore Plaza Special Use District to Section 713 (NC-S District), adding Section 253.3 providing for the conditional use approval of heights over 26 feet not exceeding 40 feet, and amending Sections 145.2, 316.2, 710, 713, and 780.1 for the property located on the block surrounded by Sloat Boulevard, Everglade Drive, Ocean Avenue, and Clearfield Drive, being Lot 1 in Assessor's Block 7255 and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning)

File 115-88-13, Ordinance No. 42-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Absent: Supervisor Nelder - 1.

NEW BUSINESS

From the Clerk

Adopted

[Findings]
Motion adopting findings for the approval of a conditional use permit of property at 1501 Sloat Boulevard (Lakeshore Plaza Shopping Center).

File 37-89-1.5

Supervisor Hsieh Excused from Voting

Supervisor Hsieh requested to be excused from voting because he was not present at the hearing on January 30, 1989.

Monday, February 6, 1989

Supervisor Gonzalez, seconded by Supervisor Walker, moved to excuse Supervisor Hsieh from voting.

Motion to excuse Supervisor Hsieh from voting adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Absent: Supervisor Nelder - 1.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Walker, Ward - 9.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Nelder - 1.

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$13,999. Chief Administrative Officer, for permanent salaries, Recorder; rescinding \$13,999 from temporary salaries. (Controller)

File 101-88-70, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Absent: Supervisor Nelder - 1.

Passed for Second Reading as Amended

[Government Funding]

Ordinance appropriating ((\$150,000)) \$36,911, Mayor's Office, for program project budget (implementing Proposition D - Commission on Traffic and Parking), Parking Authority for the creation of one position. (Controller)

File 101-88-71, Ordinance No.

Supervisor Walker, seconded by Supervisor Maher, moved to amend by reducing appropriation from "\$150,000" to "\$36,911" and related line items accordingly.

Motion to amend adopted by the following vote:

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Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Absent: Supervisors Nelder, Ward - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Absent: Supervisors Nelder, Ward - 2.

Passed for Second Reading

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1988-89, Office of the Mayor, reflecting the addition of one position Classification 9790, Assistant to Mayor V.; companion measure to File 101-88-71. (Civil Service Commission)

File 102-88-28, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Absent: Supervisor Nelder - 1.

(Supervisor Hallinan dissenting in Committee.)

[Proposition 90]

Ordinance amending Administrative Code, adopting the provisions of subdivision (a) of Section 2 of Article XIII A of the California Constitution, as amended at the November 8, 1988 election, allowing homeowners over the age of 55 to transfer base year values of their previous primary residence in another California County to a new primary residence purchased or constructed in San Francisco after the effective date of this ordinance; sunset clause. (Supervisors Kennedy, Walker)

File 174-89-1, Ordinance No.

(Adds Section 10.3-4.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 8.

Noes: Supervisors Britt, Hallinan - 2.

Absent: Supervisor Nelder - 1.

Monday, February 6, 1989

Adopted

[Health Service System Fund]

Resolution establishing the contribution to be made to the Health Service System Fund by City and County, Unified School District and Community College District for fiscal year 1989-90. (Health Service System)

File 78-89-1, Resolution No. 89-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Hongisto, Nelder - 2.

[Time Purchase Agreement]

Resolution authorizing the Purchaser on behalf of the City Attorney to enter into a time purchase contract for new furniture to be placed in quarters to be occupied by personnel of the City Attorney. (Supervisor Walker)

File 176-89-1, Resolution No. 81-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Hongisto, Nelder - 2.

Recommendations of Governmental Operations Committee

Passed for Second Reading

[POST Funds for Police Dispatchers]

Ordinance amending Administrative Code, pertaining to the receipt of funds from the State of California for participating in the California Commission on Peace Officers Standards and Training (POST) Program as it relates to public safety dispatchers. (Supervisor Gonzalez)

File 97-89-2, Ordinance No.

(Adds Section 10.117-86.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Hongisto, Nelder - 2.

Monday, February 6, 1989

Adopted

[Grant - Federal Funds]

Resolution authorizing the Mayor's Office of Community Development to apply for, accept and expend a grant of \$265,000 from the Emergency Shelter Grant program (under the Stewart B. McKinney Homeless Assistance Act of 1988) to improve the quality of existing shelters for the homeless. (Supervisor Walker)

File 68-89-2, Resolution No. 88-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Hongisto, Nelder - 2.

[Official Newspaper]

Resolution designating the San Francisco Examiner as official newspaper of the City and County for specified categories of official advertising for the remainder of the contract term through June 30, 1989, replacing the Progress of San Francisco, Inc., terminated for non-performance. (Purchasing Department)

File 112-89-1, Resolution No. 90-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Hongisto, Nelder - 2.

[Contract Amendment and State Funds]

Resolution authorizing the Adult Probation Department to amend Contract Number 389-86 between the Board of Corrections and the City and County by extending the expiration date for a one-year period; to accept and expend funds in the amount of \$54,363 for said one-year period for the salary and benefits of an 8442 Probation Officer whose services will be provided to the State Board of Corrections as a consultant on areas of concern to local criminal justice agencies. (Adult Probation Department)

File 130-89-1, Resolution No. 91-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Hongisto, Nelder - 2.

Monday, February 6, 1989

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to apply for, accept and expend a grant of \$8,589,345 from the Department of Health and Human Services for the AIDS Prevention and Surveillance Project; placing \$2,793,364 on reserve. (Department of Public Health)

File 146-89-2, Resolution No. 92-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Hongisto, Nelder - 2.

From the Clerk

Adopted

[Condominium Project]

Motion approving final map of 38-38A-40-42-44 Sharon Street, a condominium project, being a resubdivision of Lot 46 in Assessor's Block 3558; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-89-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Hongisto, Nelder - 2.

SPECIAL ORDER -3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to the decision of the Director of Public Works for gas and electric services ordered to be rendered at 270-272 Turk Street by said Director pursuant to the provisions of Sections 203(m) and/or 203(o) of the Building Code; the costs thereof having been paid for out of the Repair and Demolition Fund.

File 41-88-14

(Total Cost \$12,080.07.)

The President inquired if there was anyone present who wished to address the Board on this item.

Monday, February 6, 1989

There being no response, the President declared the hearing closed.

From the Department of Public Works

Tabled

[Assessment for Costs]

Resolution confirming report of assessment of costs submitted by the Director of Public Works for gas and electric services ordered to be rendered at 270-272 Turk Street by said Director pursuant to the provisions of Sections 203(m) and/or 203(o) of the Building Code; the costs thereof having been paid for out of the Repair and Demolition Fund. (Department of Public Works)

File 41-88-14, Resolution No.

Supervisor Maher, seconded by Supervisor Walker, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Hongisto, Nelder - 2.

Recess

At the request of President Britt, the Board recessed at the hour of 3:21 p.m. to convene in closed session pursuant to Government Code Section 54956.9(a) to meet with the City Attorney concerning the following litigations:

Associated General Contractor's of California vs. City and County of San Francisco, 813 F.2d 922 (9th Cir. 1987):

Air Cal, Inc. vs. City and County of San Francisco U.S. Court of Appeals for the 9th Circuit Nos. 86-2520, 86-2530.

Reconvening of the Board

The Board, at the hour of 4:02 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 7.

Noted absent:

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Supervisors Alioto, Hongisto, Maher, Nelder - 4.

Quorum present.

Supervisor Alioto was noted present at 4:03 p.m.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney concerning pending litigation as provided in the Government Code.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

John O'Brien;
Steven Joseph;
Ace Washington.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-6, Resolution No. 83-89

(Richard D. Hongisto, member, Board of Supervisors, February 15-25; Willie B. Kennedy, member, Board of Supervisors, February 10-13 and 16 - 20; Wendy Nelder, member, Board of Supervisors, February 3-8, 1989.)

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Waverly Place between Clay and Washington Streets, Sunday, February 26, 1989, from 10:00 a.m. to 3:00 p.m., for Annual Yee Fung Toy Family Association Spring Festival. (Supervisor Hsieh)

File 42-89-3, Resolution No. 85-89

Adopted.

Monday, February 6, 1989

[1939 World's Fair Anniversary]

Resolution designating the California Fifth District Agricultural Association dba the San Francisco Fair and Exposition, as the official celebrant and producer of the 50th Anniversary of the 1939 World's Fair and urging the Mayor to have the City officially join in the celebration to be held on Treasure Island on Labor Day weekend - September 2, 3, and 4, 1989. (Supervisor Alioto)

File 182-89-1, Resolution No. 94-89

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 8.

Absent: Supervisor Hongisto, Maher, Nelder - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Towing and Storage of Vehicles]

Ordinance amending Administrative Code by deleting Section 10C.8-1 and making related changes in Sections 10C.1, 10C.2, 10C.3, 10C.4 and 10C.8, dealing with the exemption of residents from paying towing and storage charges for stolen automobiles. (Supervisor Kennedy presented.) Referred to Finance Committee.

File 97-89-4

Adopted

[Proclamation]

Resolution urging the Mayor to proclaim Sunday, February 19, 1989, "Help the Homeless Day" in San Francisco.

File 4-89-3, Resolution No. 96-89

Supervisor Walker presented.

Supervisor Gonzalez, seconded by Supervisor Walker, moved that the need to take action on the proposed resolution arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

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Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 8.

Absent: Supervisors Hongisto, Maher, Nelder - 3.

The roll was then called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 8.

Absent: Supervisors Hongisto, Maher, Nelder - 3.

Referred to Committee

[Parking]

Resolution urging the Mayor to urge the Chief Administrative Officer to direct the Department of Public Works to expedite the establishment of two-hour parking on San Leandro Way pursuant to Resolution No. 921-88. (Supervisor Gonzalez presented.) Referred to Public Works Committee.

File 19-89-2

[Parking Facility Land Acquisition]

Draft resolution urging the Mayor to urge the San Francisco Parking Authority to acquire property at the Southeast corner of Vallejo Street and Churchill Alley for a parking facility. (Supervisor Hsieh presented.) Referred to Public Works Committee.

File 47-89-2

[Parking Facility Land Acquisition]

Draft resolution urging the Mayor to urge the Parking Authority to proceed with acquisition of land at 2450-2470 California Street. (Supervisor Hsieh presented.) Referred to Public Works Committee.

File 47-89-3

[Trial Court Funding, 1989-90]

Resolution electing to become subject to the provisions of the State Trial Court Funding program for the period of July 1, 1989 through June 30, 1990. (Supervisor Walker presented.) Referred to Finance Committee.

File 187-89-1

Requests for Hearings

File 12-88-27.2, By Supervisor Kennedy: To consider supporting the amendment to the State Constitution proposed by the Board of

Monday, February 6, 1989

Directors of the County Supervisors Association of California (CSAC) entitled "Local Government Fiscal Stability Amendment" without reference to trial court funding. Referred to Finance Committee.

File 19-89-3, By Supervisor Nelder: To consider creating diagonal parking in commercial areas such as 24th Street, Geary Boulevard, Union Street and Park Presidio West and in residential areas where street parking is heavily impacted because of multiple family dwellings, hospitals, schools and/or other similar facilities. Referred to Public Works Committee.

File 19-89-4, By Supervisor Nelder: To consider extending the hours of parking meter operations from one to two hours in commercial areas such as North Beach, Chinatown, Fisherman's Wharf, Union, Clement and Chestnut Streets, where business is ongoing after regular business hours. Referred to Public Works Committee.

File 69-89-1, By Supervisor Ward: To consider directing the Clerk of the Board to submit a supplemental appropriation request for membership in the National Association of County Officials and the National League of Cities. Referred to Rules Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter be sent to the Mayor requesting he return resolution supporting the amendment to the State Constitution proposed by the Board of Directors of the County Supervisors Association of California (CSAC) entitled "Local Government Fiscal Stability Amendment". The resolution needs to be amended by deleting any reference to trial court funding.

By Supervisor Gonzalez, that letter be sent to Director of Public Works inquiring whether a burned-out street light at the vicinity of 194 Kiska Road has been repaired.

By Supervisor Gonzalez, that letter be sent to Director of Public Works inquiring whether the Market Street Renovation project currently underway has provisions for wheelchair accessibility and when the BART entrance at San Francisco Centre will be wheelchair accessible.

By Supervisor Gonzalez, that letter of inquiry be sent to General Manager, Municipal Railway, concerning the on-time performance of the Municipal Railway Bus Line No. 22 at Church and Market Streets to determine whether other lines going through 17th and Kansas Streets have a more frequent schedule.

By Supervisor Gonzalez, that letter of inquiry be sent to General Manager, Municipal Railway, to ascertain whether investigation has been conducted regarding the Municipal Railway Bus Line No. 30 Express hazardous conditions due to overcrowding as cited in letter dated January 25, 1989 with petitions attached signed by Marina residents, and whether consideration has been given to suggestions voiced by the residents.

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By Supervisor Britt, that City Attorney prepare appropriate legislation opposing proposed I-80 widening in the City of Berkeley, Alameda County.

By Supervisor Walker, that Budget Analyst update the City's 1988-89 cost of services to the Homeless.

By Supervisor Nelder, that City Attorney provide written opinion on the laws concerning separation of church and state in general and as they apply specifically to City government and property. For example, does this constitutional principle apply to City departments which support the display and maintenance of religious symbols such as, the cross on Mt. Davidson, the Menorah in Union Square, the Buddha in the Japanese Tea Garden and the star atop the tree at McLaren Lodge. Does this principle apply to art work portraying the Nativity scene and its exposition in the City's museums, to the naming of public property after religious figures, to the use of public property by religious figures, to the granting of public funds to religious organizations for use in public projects?

By Supervisor Nelder, that City Attorney prepare appropriate legislation which would create, where feasible, diagonal parking in commercial areas such as 24th Street, Geary Boulevard, Union Street and Park Presidio west and in residential areas where street parking is heavily impacted because of multiple family dwellings, hospitals, schools and/or other similar facilities.

By Supervisor Nelder, that letters be sent to Budget Analyst and Director of Public Works requesting each addressee review and comment on proposal to create, where feasible, diagonal parking in commercial areas such as 24th Street, Geary Boulevard, Union Street and Park Presidio west and in residential areas where street parking is heavily impacted because of multiple family dwellings, hospitals, schools and/or other similar facilities.

By Supervisor Nelder, that City Attorney prepare appropriate legislation which would extend the hours of parking meter operations from one to two hours in commercial areas such as North Beach, Chinatown, Fisherman's Wharf, Union, Clement and Chestnut Streets, where business is ongoing after regular business hours.

By Supervisor Nelder, that letters be sent to Budget Analyst and Director of Public Works requesting each addressee review and comment on proposal to extend the hours of parking meter operations from one to two hours in commercial areas such as North Beach, Chinatown, Fisherman's Wharf, Union, Clement and Chestnut Streets, where business is ongoing after regular business hours.

Motions Adopted

Motion that the Board award Certificates of Honor to the following:

Judy Bailey (Supervisor Hsieh)
Sally Canjura (Supervisor Britt)
CUAV Lesbian and Gay Speakers Bureau (Supervisor Britt)

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El Mensajero Newspaper (Supervisor Gonzalez)
Jeanette Grandin (Supervisor Gonzalez)
Marshall Lacewell (Supervisor Hsieh)
Patrick Mulcahey (Supervisor Britt)
Frank Navarro (Supervisor Britt)
Jerry Rice (Supervisor Ward on behalf of entire Board)
Hadley R. Roff (Supervisor Gonzalez on behalf of entire Board)
Randy Schell (Supervisor Britt)
James L. Whittaker (Supervisor Hsieh)
Milton H. Williams (Supervisors Kennedy, Ward)
Andrew D. Zanetti (Supervisor Hsieh)

File 6-89-6

No objection and motion adopted.

Motion that the Board award Letters of Commendation to the following:

Lynn H. Baskett (Supervisor Hsieh)
Susan Hogeland (Supervisor Hsieh)

File 8-89-6

No objection and motion adopted.

ADJOURNMENT

There being no further business, the Board at the hour of 4:25 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, February 6, 1989

Approved by the Board of Supervisors on June 12, 1989

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

TUESDAY, February 14, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, February 14, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Harry G. Britt, the meeting was called to order at 2:02 p.m. by the Clerk of the Board. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Maher, Nelder, Walker - 7.

Noted absent at first roll call:

Supervisors Britt, Hongisto, Hsieh, Ward - 4.

Quorum present.

Supervisor Britt excused from attendance. (see infra.)

Supervisor Hongisto excused from attendance. (see infra.)

Supervisor Hsieh was noted present at 2:03 p.m.

Supervisor Ward was noted present at 2:11 p.m.

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Walker, seconded by Supervisor Nelder, moved that Supervisor Kennedy be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Britt, Hongisto, Ward - 3.

Supervisor Kennedy thereupon assumed the Chair.

Tuesday, February 14, 1989

Supervisor Britt Excused

The Clerk announced that Supervisor Britt had requested to be excused from attending today's meeting because of illness.

Supervisor Walker, seconded by Supervisor Maher, moved to excuse Supervisor Britt from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Britt, Hongisto, Ward - 3.

Supervisor Hongisto Excused

The Clerk announced that Supervisor Hongisto had requested to be excused from attending today's meeting due to pressing business in connection with pending trip out of the Country.

Supervisor Walker, seconded by Supervisor Maher, moved to excuse Supervisor Hongisto from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Britt, Hongisto, Ward - 3.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Nelder, seconded by Supervisor Walker, moved that the Journals of Proceedings for Monday, August 29 and Tuesday, September 6, 1988, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Britt, Hongisto, Ward - 3.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

Tuesday, February 14, 1989

[Government Funding]

Ordinance appropriating \$13,999, Chief Administrative Officer, for permanent salaries, Recorder; rescinding \$13,999 from temporary salaries. (Controller)

File 101-88-70, Ordinance No. 48-89

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Jairo V. Perez against the City and County by payment of \$7,500. (City Attorney)

File 45-89-2, Ordinance No. 44-89

(Superior Court No. 892-173.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Joseph Balistreri, against the City and County by payment of \$9,789.37. (City Attorney)

File 45-89-4, Ordinance No. 46-89

(Municipal Court No. 008-411.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Equal Employment Opportunity Commission against San Francisco Police Department, et al., by payment of \$160,000. (City Attorney)

File 45-89-6, Ordinance No. 43-89

(United States District Court No. C86-1328 EFL.)

Finally passed.

Recommendation of Governmental Operations Committee

Finally Passed

[POST Funds for Police Dispatchers]

Ordinance amending Administrative Code, pertaining to the receipt of funds from the State of California for participating in the California Commission on Peace Officers Standards and Training (POST) Program as it relates to public safety dispatchers. (Supervisor Gonzalez)

Tuesday, February 14, 1989

File 97-89-2, Ordinance No. 47-89

(Adds Section 10.117-86.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Britt, Hongisto, Ward - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$36,911, Mayor's Office, for program project budget (implementing Proposition D - Commission on Traffic and Parking), Parking Authority for the creation of one position. (Controller)

File 101-88-71, Ordinance No. 49-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 8.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Britt, Hongisto - 2.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1988-89, Office of the Mayor, reflecting the addition of one position Classification 9790, Assistant to Mayor V.; companion measure to File 101-88-71. (Civil Service Commission)

File 102-88-28, Ordinance No. 50-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 8.

Tuesday, February 14, 1989

Noes: Supervisor Nelder - 1.

Absent: Supervisors Britt, Hongisto - 2.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of James Tahsini, et al., against the City and County by payment of \$35,000. (City Attorney)

File 45-89-3, Ordinance No. 45-89

(U.S. District Court No. C88-2107 CAL.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

Consideration Continued with Pending
Amendment of the Whole

(Supervisor Hallinan dissenting in Committee.)

[Proposition 90]

Ordinance amending Administrative Code, adopting the provisions of subdivision (a) of Section 2 of Article XIII A of the California Constitution, as amended at the November 8, 1988 election, allowing homeowners over the age of 55 to transfer base year values of their previous primary residence in another California County to a new primary residence purchased or constructed in San Francisco after the effective date of this ordinance; sunset clause. (Supervisors Kennedy, Walker)

File 174-89-1, Ordinance No.

(Adds Section 10.3-4.)

Supervisor Walker, seconded by Supervisor Ward, moved an amendment of the whole bearing same title.

After a brief period of debate, Supervisor Ward, seconded by Supervisor Nelder, moved to continue consideration with pending amendment of the whole to February 27, 1989.

Motion to continue with pending amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

Tuesday, February 14, 1989

Called from Finance Committee
By Supervisor Nelder

Consideration Continued

[Payroll Expense and Business Tax Credits]

Ordinance amending Part III of the Municipal Code, to provide a payroll expense tax credit and business tax credit to employers and businesses establishing a child care program, or constructing a child care facility or making contributions to an employee's qualified care plan or paying in-lieu fee for child care. Credits shall be given only for costs incurred or contributions made on behalf of dependents of the taxpayer's employees who reside in San Francisco. (Supervisor Nelder)

File 127-88-22, Ordinance No.

(Adds Sections 905B and 1005.5.)

Supervisor Nelder, seconded by Supervisor Gonzalez, moved to continue consideration to February 27, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

NEW BUSINESS

Recommendation of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$15,416, for permanent salaries and rescinding \$6,682 from mandatory fringe benefits, Public Administrator/Public Guardian, for the immediate filling of the positions of 1126 Public Administrator and 1131 Assistant Public Administrator, Public Guardian. (Controller)

File 101-88-72, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

Adopted

Tuesday, February 14, 1989

[Employee Replacement]

Resolution approving immediate filling of vacated positions of 1126 Public Administrator and 1131 Assistant Public Administrator/Public Guardian. (Finance Committee)

File 101-88-72.1, Resolution No. 99-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

Refused Passage for Second Reading

[Government Funding]

Ordinance appropriating \$11,526, County Clerk, for permanent salaries and mandatory fringe benefits; rescinding \$11,526 from permanent salaries and mandatory fringe benefits for the deletion of one position, Classification 1630 Account Clerk and the creation of one position, Classification 1632 Senior Account Clerk. (Controller)

File 101-88-73, Ordinance No.

Refused passage for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Kennedy, Walker, Ward - 5.

Noes: Supervisors Hallinan, Hsieh, Maher, Nelder - 4.

Absent: Supervisors Britt, Hongisto - 2.

Tabled

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1988-89, Office of the County Clerk, reflecting the reclassification of one position; companion measure to File 101-88-73. (Civil Service Commission)

File 102-88-27, Ordinance No.

Supervisor Nelder, seconded by Supervisor Maher, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

Adopted

[Reimbursement to Employees]

Resolution authorizing reimbursement for cost of personal property

Tuesday, February 14, 1989

of City and County employees damaged and/or stolen in the line of duty. (Finance Committee)

File 51-88-4, Resolution No. 106-89

<u>DEPARTMENT</u>	<u>ITEM</u>	<u>CLAIMED</u>	<u>RECOMMENDED</u>
<u>Juvenile Court</u>			
Jacob Davis	Damaged slacks	\$ 60.00	\$ 60.00
	Damaged shirt	59.95	59.95
<u>Muni Railway</u>			
Howard W. Ray	Vandalized tire	37.50	-0-
C. B. Craft	Broken eyeglasses	40.00	40.00
Lester E. Colbert	Stolen/lost watch	243.75	243.75
Kenny Sapp	Stolen tools	1,054.55	1,054.55
<u>Public Health</u>			
Dr. Toby Maurer	Stolen ophthalmoscope/ otoscope	355.50	177.50
Marcellina Ogbu	Damaged windshield	557.87	-0-
Cathleen Sullivan	Stolen otoscope	350.00	-0-
John Nobriga	Damaged eyeglasses	40.00	40.00
<u>Public Works</u>			
Michael Hennessy	Damaged suit	200.00	120.00
Sonia Alarcon	Damaged skirt	48.46	48.46
Charles Ng	Stolen Microwave oven	106.00	-0-
<u>Real Estate Department</u>			
Kathleen Bianchi	Stolen purse and contents	425.00	-0-
<u>Recreation and Park</u>			
Reatha Weaver	Stolen watch	247.00	-0-
Michael Lapon	Vandalized auto	979.00	-0-
Jessie McElroy	Broken car window	79.00	79.00
Jesse Wilson	Broken car window	201.00	-0-
Roger C. Revel	Stolen shoes and clothing	126.00	122.00
<u>Sheriff</u>			
Cedric Goo	Damaged uniform	95.00	95.00
Total		\$ 5,305.58	\$ 2,140.78

Tuesday, February 14, 1989

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

[San Diego Litigation]

Resolution urging the City Attorney to intervene in the litigation brought by the County of San Diego seeking to invalidate the current allocation of mental health, drug and alcohol funds and State hospital beds. (Supervisor Kennedy)

File 46-89-1, Resolution No. 105-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

[Sewage Treatment Works Financing]

Resolution finding and determining that the Oceanside Water Pollution Control Plant project will protect and preserve the environment and that the use of loan funds is the most cost-effective method of financing the project; authorizing the Director of Public Works to apply for and enter into loan agreements not to exceed approximately \$60 million. (Supervisor Walker)

File 53-89-1, Resolution No. 97-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 8.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Britt, Hongisto - 2.

[Recovery Services - Hospital Facilities]

Resolution authorizing Tax Collector attorney to institute legal proceeding for the recovery of value of services rendered at hospital facilities operated by the Department of Public Health. (Tax Collector)

File 172-89-1, Resolution No. 107-89

Adopted by the following vote:

Tuesday, February 14, 1989

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Ward - 8.

Absent: Supervisors Britt, Hongisto, Walker - 3.

Recommendations of Human Services Committee

Passed for Second Reading

[Charitable Solicitors]

Ordinance amending Police Code, relating to transferability of certificates of registration and to penalties for violations of Article 9.6. (Supervisors Walker, Nelder, Kennedy)

File 121-88-11, Ordinance No.

(Amends Section 660.6 and 660.14.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

Adopted

[Homeless Women and Children]

Resolution recognizing the unique experiences and needs of homeless women, youth and children, and committing to address those needs as a priority within San Francisco's Homeless Program. (Supervisors Walker, Alioto, Hongisto, Gonzalez, Nelder)

File 351-88-1, Resolution No. 108-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

Adopted as Amended

[Homeless Women and Children Task Force]

Resolution amending Resolution No. 213-87 and 4-88, establishing a task force to investigate and report on options for enhancing services available to homeless women and children, by extending the term of the task force to February 28, 1990, and by requesting a further report from the task force. (Supervisors Walker, Alioto, Hongisto, Gonzalez, Nelder)

File 351-88-1.1, Resolution No. 109-89

Tuesday, February 14, 1989

Supervisor Kennedy, seconded by Supervisor Nelder, moved to amend page one, line 26 by replacing "the Committee" with "this Board"; line 28 by replacing "Committee" with "Board" and line 30 by replacing "Human Services Committee" with "Board of Supervisors" and page two, line 12 by deleting "the Human Services Committee of".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

Recommendations of Governmental Operations Committee

Passed for Second Reading

[Width of Sidewalk]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by changing the official width of sidewalk on the north side of Howard Street between Spear and Steuart Streets, and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-89-1. Ordinance No.

(Adds Section 1495.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

Consideration Continued

[Lease of Property]

Ordinance approving the lease between Mission Creek Harbor Association, Inc. and the City and County, operating by and through the Port Commission. (Port Commission)

File 173-89-1. Ordinance No.

Supervisor Hallinan, seconded by Supervisor Nelder, moved to continue consideration to February 28, 1989.

Tuesday, February 14, 1989

Motion to continue adopted by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Ward - 7.

Noes: Supervisor Alioto - 1.

Absent: Supervisors Britt, Hongisto, Walker - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Walter O'Donnell.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-7, Resolution No. 100-89

(Rosario Anaya, member, Board of Education, February 8 - 12; Libby Denebeim, member, Board of Education, February 8 - 12; Stanley Herzstein, President, Commission on the Aging, February 2 - 24; Myra Kopf, member, Board of Education, February 8 - 12; JoAnne Miller, member, Board of Education, February 8 - 12; Fred A. Rodriguez, member, Board of Education, February 8 - 12; Sodonia M. Wilson, member, Board of Education, February 8 - 12; Leland Y. Yee, member, Board of Education, February 8 - 12, 1989.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was acted upon by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Walker, Ward - 6.

Absent: Supervisors Britt, Hongisto, Hsieh, Maher, Nelder - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Tuesday, February 14, 1989

Adopted

[Proclamation]

Resolution urging the Mayor to proclaim Sunday, February 19, 1989, "Help the Homeless Day" in San Francisco; rescinding Resolution No. 96-89.

File 4-89-3.1, Resolution No. 101-89

Supervisor Walker presented for immediate adoption.

Supervisor Walker, seconded by Supervisor Ward, moved that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kennedy, Nelder, Walker, Ward - 6.

Noes: Supervisors Britt, Gonzalez, Hongisto, Hsieh, Maher - 5.

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Walker, Ward - 6.

Absent: Supervisors Britt, Hongisto, Hsieh, Maher, Nelder - 5.

Referred to Committee

[State Legislation]

Substitute resolution urging the State Legislature to enact AB 357 and SB 292 legislation banning para-military weapons such as the AK-47 semi-automatic rifle and urging the County Supervisors Association and the League of Cities to take a position supporting the banning of these weapons. (Supervisor Hallinan presented on behalf of Supervisor Hongisto.) Referred to Human Services Committee.

File 12-89-1

Adopted

[State Legislation]

Resolution in support of AB 357, a State Legislative measure which would prohibit the sale and possession of certain named semi-automatic firearms.

File 12-89-1.1, Resolution No. 102-89

Supervisor Gonzalez presented for immediate adoption.

Supervisor Gonzalez, seconded by Supervisor Ward, moved that the need to take action arose subsequent to the publication of the calendar.

Tuesday, February 14, 1989

No objection and motion carried.

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Walker,
Ward - 6.

Absent: Supervisors Britt, Hongisto, Hsieh, Maher, Nelder - 5.

Referred to Committee

[State Legislation]

Substitute resolution urging the California State Legislature to support Assembly Bill 8, to modify the existing State Vehicle Code to require all California motorcyclists to wear approved safety helmets. (Supervisor Hallinan presented on behalf of Supervisor Hongisto.) Referred to Human Services Committee.

File 12-89-2

Adopted

[Arlington Cemetery]

Resolution urging the California Congressional Delegation to urge the President of the United States to authorize the interment of former Marine Oliver "Bill" Sipple in Arlington National Cemetery.

File 13-89-1, Resolution No. 103-89

Supervisor Hallinan presented on behalf of Supervisor Hongisto for immediate adoption.

Supervisor Hallinan, seconded by Supervisor Walker, moved that the need to take action arose subsequent to the publication of the calendar.

No objection and motion carried.

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Walker,
Ward - 6.

Absent: Supervisors Britt, Hongisto, Hsieh, Maher, Nelder - 5.

[Street Closing]

Resolution authorizing temporary closing of portion of Rhode Island Street, between 15th and Alameda Streets, from 6:00 a.m. on Sunday, February 19, 1989 to 1:00 a.m. on Monday, February 20, 1989 for the Help-A-Thon Benefit for the Homeless.

File 42-89-4, Resolution No. 104-89

Supervisor Maher presented for immediate adoption.

Tuesday, February 14, 1989

Supervisor Nelder, seconded by Supervisor Maher, moved that the need to take action arose subsequent to the publication of the calendar.

No objection and motion carried.

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Walker, Ward - 6.

Absent: Supervisors Britt, Hongisto, Hsieh, Maher, Nelder - 5.

Referred to Committee

[Cruise Ships' Passenger Facilities]
Resolution urging the Mayor to urge the Port Commission to review and recommend improvements of terminal facilities used by passengers of cruise ships. (Supervisor Ward presented.) Referred to Public Works Committee.

File 173-89-2

Adopted

[Salvadoran Refugees]
Resolution endorsing the hunger fast for the civil and human rights of Salvadoran refugees.

File 189-89-1, Resolution No. 110-89

Supervisor Walker presented for immediate adoption.

Supervisor Nelder, seconded by Supervisor Maher, moved that the need to take action arose subsequent to the publication of the calendar.

No objection and motion carried.

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Walker, Ward - 6.

Absent: Supervisors Britt, Hongisto, Hsieh, Maher, Nelder - 5.

Referred to Committee

[Ballot Measure]
Charter amendment (Second Draft) amending Charter Sections 8.401 and 9.108 relating to schedules of compensation to change the deadline date for setting wages from April 1 to July 1. (Reactivated at the request of Supervisor Kennedy pursuant to Rule 4.29 of the Board of Supervisors Rules of Order.) Referred to Rules Committee.

File 359-86

Tuesday, February 14, 1989

Requests for Hearings

File 18-89-3, By Supervisor Kennedy: To consider whether a Stop sign should be placed on Jackson Street at Octavia Street. Referred to Public Works Committee.

File 100-89-5, By Supervisor Walker: To consider mid-year departmental financial status reports. Referred to Finance Committee.

File 169-89-3, By Supervisor Hallinan on behalf of Supervisor Hongisto: To consider why more than 20 different public and private agencies are needed to care for the City's trees and possibility of consolidation of services. Referred to Public Works Committee.

File 186-89-2, By Supervisor Hallinan on behalf of Supervisor Hongisto: To consider financial impact related to recent report that San Francisco is the caretaker of many mental health patients who are sent here from other states. Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Nelder, that City Attorney prepare appropriate legislation to provide for a city-wide parking permit program not to interfere with or circumvent existing parking regulations. Parking decals shall be available for issuance for application to automobiles registered to owners residing in or owning property within the City and County. Automobiles without the city parking sticker parking along City streets in residential areas for more than three (3) consecutive hours would be cited. Automobiles registered with the neighborhood parking decal would not be required to obtain the city-wide permit.

By Supervisor Walker, that City Attorney comment on the appropriateness of policy being determined by a departmental manager concerning Bay-Delta Draft Pollutant Policy Document and Water Quality Control Plan for Salinity.

By Supervisor Walker, that letter be sent to County Supervisors Association of California inquiring whether they will be willing to work with the State Legislature to repeal provisions of the Revenue and Taxation Code which was enacted pursuant to Proposition 90 which required counties to opt in for a period of no less than five years.

By Supervisor Ward, that City Attorney prepare appropriate legislation which would require landlords to evict tenants arrested and/or convicted for the sale of drugs from their apartments and if landlord fails to act, the City could evict the tenants and charge the property owner up to \$5,000 in fees.

By Supervisors Hongisto and Gonzalez, that the City Attorney draft legislation which would ban the sale of para-military weapons, such as the AK-47 semi-automatic rifle, in San Francisco.

Tuesday, February 14, 1989

By Supervisor Kennedy, that letter of inquiry be sent to the Director of Public Works to determine whether an updated San Francisco government directory may be generated.

By Supervisor Kennedy, that letter of inquiry be sent to Chief Administrative Officer to determine whether he has investigated proposal to tap tidal energy.

By Supervisor Kennedy, that letters be sent to Director of Planning and Director of Public Works transmitting copies of correspondence concerning sale of condominiums on Monterey Boulevard at the corner of Ridgewood Avenue to determine whether the sale prices of the units are set at the proper amount for families of moderate income.

By Supervisor Kennedy, that letter be sent to Director of Public Works inquiring whether investigation of late night construction noise at the Third and Folsom Street site can be conducted.

By Supervisor Kennedy, that letter be sent to Chief of Police inquiring whether an investigation can be made of alleged criminal activities in the vicinity of Oak and Fillmore Streets.

By Supervisor Kennedy, that letter be sent to Director of Public Works requesting comparison of costs of manual street cleaning and mechanical street cleaning.

By Supervisor Kennedy, that Budget Analyst prepare evaluation outlining cost differential between manual and mechanical street cleaning.

By Supervisor Kennedy, that letters be sent to Chief of Police and District Attorney forwarding copy of correspondence concerning Benioff and inquiring whether this business which advertised a going-out-of-business sale in January 1989 can continue to operate.

By Supervisor Kennedy, that City Attorney advise why legal services to the Department of Public Health to provide consultation to San Francisco General Hospital and Laguna Honda Hospital for health and hospital related issues, will be contracted out.

By Supervisor Gonzalez, that City Attorney prepare appropriate legislation supporting SB 292 relating to banning gruesome military-style assault rifles.

By Supervisor Gonzalez, that letter be sent to Chief of Police requesting he investigate increased crime at the location of 24th and 25th Streets in the Mission District and inquiring whether plans may be launched to provide more officers in the area.

By Supervisor Kennedy, that letter be sent to Controller inquiring whether employee payroll data may be generated to allow for direct deposit of employees' checks at financial institutions by computer.

Motions Adopted

Motion that the Board award Certificates of Honor to the following:

Tuesday, February 14, 1989

Verna Bini (Supervisor Nelder)
Pastor Bomar (Supervisor Gonzalez)
Al Borvice (Supervisors Hsieh, Kennedy)
Patricia Bowers (Supervisor Nelder)
Stefano Brienza (Supervisor Alioto)
Alberto Bustiani (Supervisor Gonzalez)
John O'Connor (Supervisor Nelder)
Steve Rasher (Supervisor Hongisto)
Marty Rosen (Supervisor Maher)
Zelma Russell (Supervisor Nelder)
Mary Louise Strong (Supervisor Walker)
Alejandro Valerio (Supervisor Nelder)
Richard Wellner aka Lily Street (Supervisor Hongisto)
Kong Yee (Supervisor Nelder)

File 6-89-7

No objection and motion adopted.

Motion that the Board award Letters of Commendation to the following:

Charles J. Pankow (Supervisor Britt)

File 8-89-7

No objection and motion adopted.

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Chuck Hanson (Supervisor Britt)
Janet Harris Weinstein (Supervisors Walker, Hongisto, Ward)
Isaac "Buck" King (Supervisor Ward)
Guy Cherney (Supervisors Ward, Nelder)
William Schalow (Supervisor Ward)
Oliver "Bill" Sipple (Supervisors Hongisto, Britt)

File 2-89-7 .

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:40 p.m. adjourned.

John L. Taylor, Clerk

Tuesday, February 14, 1989

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 19, 1989

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 84

No. 8

TUESDAY, February 21, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, February 21, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Hallinan, Hsieh, Maher, Nelder, Walker, Ward - 8.

Noted absent at first roll call:

Supervisors Gonzalez, Hongisto, Kennedy - 3.

Quorum present.

Supervisor Gonzalez was noted present at 2:06 p.m.

Supervisor Hongisto excused, on official leave of absence.

Supervisor Kennedy was noted present at 2:10 p.m.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Hallinan requested that the following measures be severed from the Consent Calendar and considered separately.

Recommendation of Governmental Operations Committee

Adopted

[Donation - Private Funds]

Resolution authorizing Department of Public Health, Paramedic Division, to accept and expend a donation of \$60,000 from Mr. Richard Neary for the sole purpose of purchasing a new 1989 Ford ambulance for exclusive use by the paramedic division, the donation in memory of Mr. Clement C. Miller. (Mayor)

Tuesday, February 21, 1989

File 146-89-6, Resolution No. 126-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Recommendation of Human Services Committee

Finally Passed

[Charitable Solicitors]

Ordinance amending Police Code, relating to transferability of certificates of registration and to penalties for violations of Article 9.6. (Supervisors Walker, Nelder, Kennedy)

File 121-88-11, Ordinance No. 53-89

(Amends Section 660.6 and 660.14.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

CONSENT CALENDAR

Recommendation of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$15,416, for permanent salaries and rescinding \$6,682 from mandatory fringe benefits, Public Administrator/Public Guardian, for the immediate filling of the positions of 1126 Public Administrator and 1131 Assistant Public Administrator, Public Guardian. (Controller)

File 101-88-72, Ordinance No. 52-89

Finally passed.

Tuesday, February 21, 1989

Recommendations of Governmental Operations Committee

Finally Passed

[Width of Sidewalk]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by changing the official width of sidewalk on the north side of Howard Street between Spear and Steuart Streets, and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-89-1, Ordinance No. 51-89

(Adds Section 1495.)

Finally passed.

Adopted

[Employee Relations Division]

Resolution ratifying Memorandum of Understanding with the International Brotherhood of Electrical Workers, Local 6. (Employee Relations Division)

File 93-89-1, Resolution No. 115-89

Adopted.

[Employee Relations Division]

Resolution ratifying Memorandum of Understanding with Freight Checkers, Clerical Employees and Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.). (Employee Relations Division)

File 93-89-2, Resolution No. 116-89

Adopted.

[Grant - State Funds]

Resolution authorizing Department of Public Health, Division of Mental Health, Substance Abuse and Forensic Services, to apply for, accept and expend a grant of \$100,000 from the State Department of Mental Health for AIDS Day Treatment Services. (Mayor)

File 146-89-4, Resolution No. 124-89

Adopted.

[Grant - State Funds]

Resolution authorizing Department of Public Health, Community Mental Health Services, to apply for, accept and expend a grant of \$28,000

Tuesday, February 21, 1989

from the State Department of Mental Health for a Mental Health Primary Intervention in Schools Project. (Mayor)

File 146-89-5, Resolution No. 125-89

Adopted.

[Grant - State Funds]

Resolution authorizing Department of Public Health, Mental Health Programs Division, to apply for, accept and expend an augmentation grant of \$68,571 from the State Department of Mental Health for AIDS/Mental Health Services. (Mayor)

File 146-89-7, Resolution No. 127-89

Adopted.

[Grant - Private Funds]

Resolution authorizing Department of Public Health/Family Health Bureau, to accept and expend a grant of \$358,922 from California Family Planning Council, Inc., for Family Planning Services. (Mayor)

File 146-89-8, Resolution No. 128-89

Adopted.

[Grant - State Funds]

Resolution authorizing Department of Public Health, Central Administration, to apply for, accept and expend a grant of \$36,429 from the State Department of Health Services for 314(d) Health Incentive Funds. (Mayor)

File 146-89-9, Resolution No. 129-89

Adopted.

[Grant - State Funds]

Resolution authorizing Department of Public Health, Central Office, Community Public Health and Community Mental Health Services, to accept in fiscal year 1987-88 funds of up to \$280,300 and to accept and expend in fiscal year 1988-89 funds of up to \$300,000 from the State Department of Health Services, State Legalization Impact Assistance Grant (SLIAG), for unreimbursed public health care costs of persons who are legalized pursuant to the provisions of the Immigration Reform and Control Act (IRCA). (Mayor)

File 146-89-10, Resolution No. 130-89

Adopted.

Tuesday, February 21, 1989

{Grant - State Funds}

Resolution authorizing Department of Public Health, AIDS Office, to apply for, accept and expend a grant of \$592,548 from the California Department of Health Services for continuation of anonymous AIDS Antibody Testing Program Services. (Mayor)

File 146-89-11, Resolution No. 131-89

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Hongisto, Kennedy - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Called from Finance Committee
By Supervisor Nelder .

Rereferred to Committee

{Payroll Expense and Business Tax Credits}

Ordinance amending Part III of the Municipal Code, to provide a payroll expense tax credit and business tax credit to employers and businesses establishing a child care program, or constructing a child care facility or making contributions to an employee's qualified care plan or paying in-lieu fee for child care. Credits shall be given only for costs incurred or contributions made on behalf of dependents of the taxpayer's employees who reside in San Francisco. (Supervisor Nelder)

File 127-88-22, Ordinance No.

(Adds Sections 905B and 1005.5.)

Supervisor Nelder, seconded by Supervisor Maher, moved to rerefer to Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Tuesday, February 21, 1989

NEW BUSINESS

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the Planning Design Advisory Committee, for term ending June 30, 1989. (Rules Committee)

File 92-87-60, Resolution No. 120-89

(Jane Winslow, unspecified category.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Appointment]

Resolution appointing member to the Arts Organization Task Force, for term ending August 19, 1989. (Rules Committee)

File 92-88-31, Resolution No. 119-89

(Frances Wikkeling.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Appointment]

Resolution appointing member to the Bay Area Library and Information System Advisory Board, for unexpired portion of two-year term ending December 31, 1989. (Rules Committee)

File 92-89-5, Resolution No. 117-89

(Jean Kalil, vice Dennis Wong, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Tuesday, February 21, 1989

[Appointment]

Resolution appointing member to the Airport Noise Committee for unexpired portion of three-year term ending September 30, 1990.
(Rules Committee)

File 92-89-7, Resolution No. 118-89

(Mark M. Young, vice Hilda Greenberg, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Consideration Continued

[Rule Change]

Motion amending the Rules of Order of the Board of Supervisors by adding Section 5.8 concerning bestowing honors. (Supervisor Britt)

File 56-89-1

(Rule 1.3 of the Board of Supervisors' Rules of Order provides that an amendment to the Rules may, after one week's notice given by inclusion in the Board Calendar, be adopted by an affirmative recorded vote of two-thirds of all members of the Board.

In accordance therewith, consideration appropriately may be continued at least one week.)

Supervisor Walker, seconded by Supervisor Kennedy, moved to continue consideration to February 27, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Consideration Continued

(Supervisor Maher dissenting in Committee.)

[Rule Change]

Motion amending the Rules of Order of the Board of Supervisors by amending Sections 1.16, 2.8, 4.19 and 4.31 to provide that measures shall be introduced by presenting them to the Clerk of the Board, and to provide for a portion of each Board meeting to be designated "Roll Call for Comments." (Supervisor Britt)

Tuesday, February 21, 1989

File 56-89-2

(Rule 1.3 of the Board of Supervisors' Rules of Order provides that an amendment to the Rules may, after one week's notice given by inclusion in the Board Calendar, be adopted by an affirmative recorded vote of two-thirds of all members of the Board.

In accordance therewith, consideration appropriately may be continued at least one week.)

Supervisor Walker, seconded by Supervisor Kennedy, moved to continue consideration to February 27, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Adopted

[Contract]

Motion directing the Clerk of the Board of Supervisors to negotiate a contract for continued provision of Budget Analyst services to the Board of Supervisors. (Supervisor Britt)

File 98-89-1

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Budget]

Motion authorizing and directing the Clerk of the Board to file with the Controller the budget estimates for fiscal year 1989-90 for the Department of the Board of Supervisors. (Supervisor Britt)

File 100-89-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Recommendations of Governmental Operations Committee

Tuesday, February 21, 1989

Adopted as Amended

[Street Vacation]

Resolution declaring intention of Board of Supervisors to vacate an unnamed alley in Assessor's Block 629, San Francisco, California; setting the hearing date on March 27, 1989, at 3:00 p.m., for all persons interested in the proposed vacation; and ((incorporating Proposition M findings)) adopting findings pursuant to City Planning Code Section 101.0. (Department of Public Works)

File 188-88-7, Resolution No. 132-89

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to amend title, line 4 by replacing "incorporating Proposition M findings" with "adopting findings pursuant to City Planning Code Section 101.1."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Adopted

[Extension and Augmentation of Drug Abatement Grant]

Resolution authorizing the Chief Adult Probation Officer to extend the grant period three months from December 31, 1988 through March 31, 1989, and to accept and expend an augmentation in the amount of \$5,655 made available through the Office of Criminal Justice Planning for the project previously approved under Resolution No. 916-87 for the project entitled "San Francisco Adult Probation's Drug Abatement Project". (Mayor)

File 130-89-2, Resolution No. 121-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Extension and Augmentation of Drug Abatement Grant]

Resolution authorizing the District Attorney to extend the grant

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period three months from December 31, 1988 through March 31, 1989, and to accept and expend an augmentation in the amount of \$29,286 made available through the Office of Criminal Justice Planning for the project previously approved under Resolution No. 917-87 for the project entitled "San Francisco District Attorney's Drug Abatement Project". (Mayor)

File 138-89-1, Resolution No. 122-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Consideration Continued

[Extension and Augmentation of Drug Abatement Grant]
Resolution authorizing the Chief Juvenile Probation Officer to extend the grant period three months from December 31, 1988 through March 31, 1989, for the project previously approved under Resolution No. 918-87 for the project entitled "San Francisco Juvenile Probation's Drug Abatement Project". (Mayor)

File 141-89-1, Resolution No.

Supervisor Gonzalez, seconded by Supervisor Nelder, moved to continue consideration to February 27, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Adopted

[Extension and Augmentation of Drug Abatement Grant]
Resolution authorizing the Chief of Police to extend the grant period by three months from December 31, 1988 through March 31, 1989 and to accept and expend an augmentation in the amount of \$22,393 made available through the Office of Criminal Justice Planning for the project previously approved under Resolution No. 919-87 for the project entitled "San Francisco Police Department's Drug Abatement Project". (Mayor)

File 143-89-1, Resolution No. 123-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

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SPECIAL ORDER 3:00 P.M.

Hearing Held

[Appeal Hearing]

Hearing of appeal from the decision of the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) denying the application of the San Francisco Bay Area Sports Organizing Committee (BASOC) for the temporary closing of portions of various streets at various times on Sunday, July 9, 1989, for the City of San Francisco Marathon.

File 42-89-6

The privilege of the floor was granted to the following persons:

George Broder, Bay Area Sports Organizing Committee;
Virginia Fusco, Marina Civic Improvement Association;
Peter Brown, Anchorage Shopping Center;
Representative, San Francisco Council of District Merchants;
Gloria Fontanello, Marina Boulevard Association;
Walter O'Donnell;
Jim Tomosello.

From the Clerk

Adopted as Amended

[Street Closing]

Resolution authorizing the temporary closing of portions of various streets at various times on Sunday, July 9, 1989, for the City of San Francisco Marathon and providing for report.

File 42-89-6, Resolution No. 148-89

(Proposed San Francisco Marathon Course:

Start: Golden Gate Bridge - North End at Vista Point;

Finish: Conservatory of Flowers - Golden Gate Park.)

Supervisor Gonzalez, seconded by Supervisor Walker, moved to amend page three, line 18 by adding the following "further resolved" clause:

"FURTHER RESOLVED, That by April 21, 1989, the sponsors of this event shall report to the Board of Supervisors the following information:

1. The income and sponsorship they have secured toward the financing of the event;
2. The number of participants registered for the event, and the amount of revenue received from them;
3. Efforts undertaken by the sponsors to contact affected neighborhood residential and commercial groups, and the results of those efforts;

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4. Estimated costs to be charged by Police Department, Municipal Railway and Public Works Department in order to assist in the conduct of this event, and the sponsors' plans to pay for these costs; and
5. Efforts and results in obtaining all other governmental approvals required to conduct this event."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hsieh, Kennedy, Maher, Walker, Ward - 7.

Noes: Supervisors Britt, Hallinan, Nelder - 3.

Absent: Supervisor Hongisto - 1.

Supervisor Nelder, seconded by Supervisor Hallinan, moved to continue consideration to March 6, 1989.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Britt, Hallinan, Nelder - 3.

Noes: Supervisors Alioto, Gonzalez, Hsieh, Kennedy, Maher, Walker, Ward - 7.

Absent: Supervisor Hongisto - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hsieh, Kennedy, Maher, Walker, Ward - 7.

Noes: Supervisors Britt, Hallinan, Nelder - 3.

Absent: Supervisor Hongisto - 1.

Recess

At the request of President Britt, the Board recessed at the hour of 2:30 p.m. to convene in closed session to meet with the City Attorney pursuant to Government Code Section 54956.9(b)(1), significant exposure to litigation exists concerning Mission Bay properties owned by Southern Pacific now Santa Fe Realty.

Reconvening of the Board

The Board, at the hour of 2:58 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

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Supervisors Alioto, Britt, Gonzalez, Hsieh, Kennedy, Nelder, Walker, Ward - 8.

Noted absent:

Supervisors Hallinan, Hongisto, Maher - 3.

Quorum present.

Supervisor Hallinan was noted present at 3:02 p.m.

Supervisor Hongisto excused, on official leave of absence.

Supervisor Maher was noted present at 2:59 p.m.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney concerning pending litigation as provided in the Government Code.

PUBLIC COMMENT

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the Public Comment portion of the meeting closed.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-8, Resolution No. 111-89

(Carl D. Gustavson, member, Redevelopment Agency, February 20-25; Richard Hongisto, member, Board of Supervisors, March 9-13; Claude M. Jarman, Jr., member, War Memorial Board of Trustees, February 18-26; Willie B. Kennedy, member, Board of Supervisors, March 10 - 12; Bill Maher, member, Board of Supervisors, February 28-March 10; Doris Ward, member, Board of Supervisors, February 24 - 27, 1989.)

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Anza Street between Ninth and Tenth Avenues, on Easter Sunday, March 26 1989.

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from 7:00 a.m. to 1:00 p.m., for additional parking for Easter Sunday services at the Zion Lutheran Church. (Supervisor Hallinan)

File 42-89-5, Resolution No. 114-89

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 8.

Absent: Supervisor Hongisto, Maher, Nelder - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Public Employment]

Ordinance amending Ordinance No. 269-88 (Annual Salary Ordinance, 1988-89) reflecting the addition of four existing classifications and seven new classifications in the Office of the Chief Administrative Officer. (Supervisor Walker presented.) Referred to Finance Committee.

File 102-88-34

Adopted

[Proclamation]

Resolution memorializing the Mayor to proclaim February 27, 1989 as Bethel African Methodist Episcopal Church Day in commemoration of its 137 years of existence in San Francisco.

File 4-89-4

Supervisor Kennedy presented for immediate adoption.

Supervisor Kennedy, seconded by Supervisor Hsieh, moved that the need to take action arose subsequent to the publication of the calendar.

No objection and motion adopted.

Resolution adopted by the following vote:

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Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 8.

Absent: Supervisors Hongisto, Maher, Nelder - 3.

Adopted

[Proclamation]

Resolution memorializing the Mayor to proclaim April 15, 1989 as A. Philip Randolph Day in commemoration of his centennial birthday celebration.

File 4-89-5. Resolution No. 113-89

Supervisor Kennedy presented for immediate adoption.

Supervisor Kennedy, seconded by Supervisor Hsieh, moved that the need to take action arose subsequent to the publication of the calendar.

No objection and motion adopted.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 8.

Absent: Supervisors Hongisto, Maher, Nelder - 3.

Referred to Committee

[Contracting Out]

Resolution concurring with the Controller's certification that intake and shelter services to status offenders can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Supervisor Walker presented.) Referred to Finance Committee.

File 25-89-1

Referred to Board

[Employee Payroll Deductions]

Resolution recognizing, solely for the purposes of San Francisco Administrative Code Section 16.90, the Latino Peace Officers' Association as a bona fide organization of employees. (Supervisor Gonzalez presented.) Referred to Board for consideration on its February 27, 1989 Immediate Adoption Calendar.

File 190-89-1

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Requests for Hearings

File 101-87-13.3, By Supervisor Walker: To consider release of \$1,094,053, Fire Department, for high pressure pipeline extension project on Third Street from Palou to Salinas Avenue. Referred to Finance Committee.

File 12-89-3, By Supervisor Hsieh: To consider enacting legislation supporting SB 300, relating to transportation funding. Referred to Finance Committee.

File 18-89-4, By Supervisor Nelder: To consider traffic and safety conditions at the intersection of 25th Avenue and Geary Boulevard. Referred to Public Works Committee.

File 100-88-18, By Supervisor Walker: To consider release of reserved funds, Juvenile Court, in the amount of \$150,000, for intake and shelter services to status offenders. Referred to Finance Committee.

File 118-89-1, By Supervisor Hsieh: To consider amending Health Code Section 265.3 relating to alcohol consumption warning signs, by altering sign size and placement requirements for mini-bars. Referred to Human Services Committee with request it be considered at the March 9, 1989 meeting.

File 186-89-3, By Supervisor Gonzalez: To consider proposed Health Department reorganization plans transferring the following divisions to the Toxics Control Program: AIDS Education, Occupational Safety and Health, Employee Assistance Program, Employee Wellness Project, Ear Center Personnel and New Computer System Personnel. Referred to Human Services Committee.

File 191-89-1, By Supervisor Kennedy: To consider civil service system reform. Referred to Rules Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Ward and Alioto, that City Attorney provide opinion regarding the legal status of lighting the cross on Mount Davidson.

By Supervisor Kennedy, that letter be sent to General Manager, Department of Social Services transmitting copy of letter from Senator John T. Doolittle expressing concern relative to the Governor's proposed fiscal year 1989-90 budget cut of the in home supportive services program.

By Supervisor Kennedy, that letters be sent to the Mayor and Chief Administrative Officer transmitting copy of letter concerning parking spaces at City Hall and inquiring whether this matter has been investigated.

By Supervisor Kennedy, that letter of inquiry be sent to General

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Manager, Recreation and Park Department, to determine whether enforcement of the leash law is one of the regulations under the purview of the park police.

By Supervisor Kennedy, that letter of inquiry be sent to San Francisco Residential Rent Stabilization and Arbitration Board to ascertain the following information: number of apartment units in San Francisco, number of renters in San Francisco, number of rental pass-throughs, amount of rental pass-throughs per month and amount of increase in maintenance and operations by month and unit.

By Supervisor Kennedy, that letter of inquiry be sent to Director of Health to determine whether investigation has been done concerning MediCal billing procedures and the possible loss of revenues as outlined in letter addressed to the Director dated February 6, 1989.

By Supervisor Hsieh, that City Attorney prepare appropriate legislation supporting SB 300, relating to transportation funding.

By Supervisor Nelder, that City Attorney and Retirement Board draft appropriate legislation enacting an "upgrade" of "Local Police" (defined as Airport, Institutional, and Housing Police Officers) retirement benefits to equal those of Deputy Sheriff and District Attorney Investigators of the City and County of San Francisco in keeping with the ballot issue approved by the voters.

Motions Adopted

Motion that the Board award Certificates of Honor to the following:

Audrie Celestine (Supervisor Kennedy)
Robert DeVries (Supervisors Kennedy, Hallinan, Britt, Alioto,
Ward)
Lowell Edington (Supervisors Walker, Ward)
Ingleside Mothers Club (Supervisor Kennedy)
Mitchell Omerberg (Supervisors Kennedy, Ward)
Al Salido (Supervisor Hsieh)
Yee Fung Tom (Supervisor Hsieh)
United Irish Societies (Supervisors Hallinan, Maher, Hsieh)
Doris J. White (Supervisor Kennedy)

File 6-89-8

No objection and motion adopted.

Motion that the Board award Letters of Commendation to the following:

Margaret Booth (Supervisors Kennedy, Ward)
LaShea Gatlin (Supervisors Kennedy, Ward)
Rev. Cecil W. Howard (Supervisor Kennedy)
John Johnson (Supervisors Kennedy, Ward)
Sam Jordan (Supervisors Kennedy, Ward)
Men's Fun Club (Supervisor Kennedy)
Richard Neary (Supervisors Gonzalez, Hsieh, Alioto)
Bill Scott (Supervisors Kennedy, Ward)

File 8-89-8

Tuesday, February 21, 1989

No objection and motion adopted.

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Steve Callahan (Supervisor Britt)
H. Leroy Cannon (Supervisors Kennedy, Ward)
Alexander Maldonado (Supervisor Hongisto)
Clement C. Miller (Supervisor Hallinan)
Nicholas J. Regna (Supervisor Britt)

File 2-89-8

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:32 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Tuesday, February 21, 1989

Approved by the Board of Supervisors on June 19, 1989

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, February 27, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, February 27, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:03 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Nelder, Walker - 6.

Noted absent at first roll call:

Supervisors Hongisto, Hsieh, Kennedy, Maher, Ward - 5.

Quorum present.

Supervisor Hongisto was noted present at 2:19 p.m.

Supervisor Hsieh was noted present at 2:05 p.m.

Supervisor Kennedy was noted present at 2:11 p.m.

Supervisor Maher was noted present at 2:06 p.m.

Supervisor Ward excused, on official leave of absence.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Nelder, seconded by Supervisor Walker, moved that the Journal of Proceedings for Monday, September 12, 1988, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Nelder, Walker - 6.

Absent: Supervisors Hongisto, Hsieh, Kennedy, Maher, Ward - 5.

Monday, February 27, 1989

CONSENT CALENDAR

Recommendations of Governmental Operations Committee

Passed for Second Reading

[Airport - Lease and Use Agreement]

Ordinance approving the "Modification to Lease and Use Agreement No. 82-0119" between Northwest Airlines, Inc., and the City and County acting by and through its Airports Commission. (Airports Commission)

File 27-89-1, Ordinance No.

Passed for second reading.

Adopted

[State Disability]

Resolution authorizing enrollment of Classifications 2891 Deputy Director, Business and Operations, 0705 Information Clerk and 0681 Judicial Clerk Senior in the State Disability Insurance Program. (Employee Relations Division)

File 89-89-1, Resolution No. 143-89

Adopted.

[Government Funding]

Resolution authorizing the Director of Planning to extend the grant with the State of California, Secretary of Environmental Affairs, from April 1, 1989 to October 31, 1989. (Department of City Planning)

File 134-89-1, Resolution No. 145-89

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Nelder, Walker - 7.

Absent: Supervisors Hongisto, Kennedy, Maher, Ward - 4.

REGULAR CALENDAR

UNFINISHED BUSINESS

Monday, February 27, 1989

Recommendation of Finance Committee

Rereferred to Committee with Pending Amendment of the Whole

(Supervisor Hallinan dissenting in Committee.)

[Proposition 90]

Ordinance amending Administrative Code, adopting the provisions of subdivision (a) of Section 2 of Article XIII A of the California Constitution, as amended at the November 8, 1988 election, allowing homeowners over the age of 55 to transfer base year values of their previous primary residence in another California County to a new primary residence purchased or constructed in San Francisco after the effective date of this ordinance; sunset clause. (Supervisors Kennedy, Walker)

File 174-89-1. Ordinance No.

(Adds Section 10.3-4.)

(February 14, 1989 - Consideration continued to February 27, 1989 with pending amendment of the whole.)

Supervisor Hallinan, seconded by Supervisor Maher, moved to rerefer to Committee with pending amendment of the whole.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Kennedy, Ward - 3.

Recommendations of Rules Committee

Adopted

[Rule Change]

Motion amending the Rules of Order of the Board of Supervisors by adding Section 5.8 concerning bestowing honors. (Supervisor Britt)

File 56-89-1

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Refused Adoption as Amended

Monday, February 27, 1989

(Supervisor Maher dissenting in Committee.)

[Rule Change]

Motion amending the Rules of Order of the Board of Supervisors by amending Sections 1.16, 2.8, 4.19 and 4.31 to provide that measures shall be introduced by presenting them to the Clerk of the Board, and to provide for a portion of each Board meeting to be designated (("Roll Call for Comments.))" "Supervisors Comments". (Supervisor Britt)

File 56-89-2

Supervisor Walker, seconded by Supervisor Nelder, moved to amend title and body of legislation to replace "Roll Call for Comments" with "Supervisors Comments".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Walker - 6.

Noes: Supervisors Hsieh, Maher, Nelder - 3.

Absent: Supervisors Hongisto, Ward - 2.

Refused adoption as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Walker - 7.

Noes: Supervisors Hsieh, Maher, Nelder - 3.

Absent: Supervisor Ward - 1.

Recommendations of Governmental Operations Committee

Passed for Second Reading

[Lease of Property]

Ordinance approving the lease between Mission Creek Harbor Association, Inc. and the City and County, operating by and through the Port Commission. (Port Commission)

File 173-89-1, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Nelder, moved to continue consideration to March 13, 1989 and request Port Commission to review legislation and come back with shorter term of lease.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hongisto, Nelder, Walker - 5.

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Noes: Supervisors Alioto, Britt, Hsieh, Kennedy, Maher - 5.

Absent: Supervisor Ward - 1.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Noes: Supervisors Hallinan, Hongisto - 2.

Absent: Supervisor Ward - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Nelder assumed the Chair.

Adopted

[Extension and Augmentation of Drug Abatement Grant]
Resolution authorizing the Chief Juvenile Probation Officer to extend the grant period three months from December 31, 1988 through March 31, 1989, for the project previously approved under Resolution No. 918-87 for the project entitled "San Francisco Juvenile Probation's Drug Abatement Project". (Mayor)

File 141-89-1, Resolution No. 146-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

NEW BUSINESS

Recommendation of Governmental Operations Committee

Passed for Second Reading

[Sealer of Weights and Measures]
Ordinance amending Administrative Code, authorizing the Sealer of Weights and Measures to execute an annual agreement for the inspection of prepackaged items and for the inspection of establishments selling or distributing petroleum products. (Department of Agriculture and Weights and Measures).

File 97-89-3, Ordinance No.

(Amends Section 1.13-6, Adds Section 1.13-8.
Repeals Section 1.13-1.)

Monday, February 27, 1989

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

From the Clerk

Adopted

[Condominium Project]

Motion approving final map of 155 Niagara Avenue, also known as Niagara/Rome Subdivision-Phase 1, being a portion of Assessor's Block No. 7032A, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-89-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

COMMITTEE REPORTS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$26,968, Police Department, for permanent salaries - uniform and related mandatory fringe benefits; rescinding \$26,968 from permanent salaries - uniform for the creation of one position Q-80 Captain (Police Department). (Controller)

File 101-88-74, Ordinance No.

Supervisor Walker presented as recommendation of Finance Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

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[Public Employment]

Ordinance amending Annual Salary Ordinance, 1988-89, Police Department, reflecting the addition of one position; companion measure to File 101-88-74. (Civil Service Commission)

File 102-88-32, Ordinance No.

Supervisor Walker presented as recommendation of Finance Committee.

Passed for second reading by the following vote: .

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

[Government Funding]

Ordinance appropriating \$34,506, County Clerk, for permanent salaries-miscellaneous and related mandatory fringe benefits and facilities maintenance projects for the creation of fourteen (14) positions and the deletion of fourteen (14) positions; subject of previous budgetary denial; placing \$11,555 on reserve. (Controller)

File 101-88-76, Ordinance No.

Supervisor Walker presented as recommendation of Finance Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder - 8.

Noes: Supervisors Hallinan, Walker - 2.

Absent: Supervisor Ward - 1.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1988-89, Office of the County Clerk, reflecting the reclassification of fourteen (14) positions; companion measure to File 101-88-76. (Civil Service Commission)

File 102-88-31, Ordinance No.

Supervisor Walker presented as recommendation of Finance Committee.

Monday, February 27, 1989

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder - 8.

Noes: Supervisors Hallinan, Walker - 2.

Absent: Supervisor Ward - 1.

Passed for Second Reading as Amended

[Government Funding]

((Ordinance appropriating \$255,287, Superior Court, for permanent salaries-miscellaneous and related mandatory fringe benefits, fees and other compensation, other contractual services, use of employee cars, travel, equipment, data/word processing equipment, services of other departments- Social Services-CAO insurance and risk reduction, and capital improvement projects for the creation of one position; subject of previous budgetary denial; placing \$50,500 on reserve.)) (Controller)

Ordinance appropriating \$1,014,933, Superior Court, for permanent salaries - miscellaneous and related mandatory fringe benefits, fees and other compensation, other contractual services, use of employee cars, travel, materials and supplies, equipment, data/word processing equipment, services of other departments - Police, Social Services, Chief Administrative Officer Insurance and Risk Reduction, facilities maintenance projects and capital improvement projects for the creation of six positions and the deletion of one position for fiscal year 1988-89; placing \$50,550 on reserve.

File 101-88-77, Ordinance No.

Supervisor Walker presented as recommendation of Finance Committee.

Supervisor Walker, seconded by Supervisor Maher, moved an amendment of the whole entitled, "Ordinance appropriating \$1,014,933, Superior Court, for permanent salaries - miscellaneous and related mandatory fringe benefits, fees and other compensation, other contractual services, use of employee cars, travel, materials and supplies, equipment, data/word processing equipment, services of other departments - Police, Social Services, Chief Administrative Officer Insurance and Risk Reduction, facilities maintenance projects and capital improvement projects for the creation of six positions and the deletion of one position for fiscal year 1988-89; placing \$50,550 on reserve."

Supervisor Hallinan moved to rerefer to Committee.

Motion lost for want of a second.

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The roll was called on the pending amendment of the whole and it was adopted by the following vote.

Ayes: Supervisors Alioto, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder - 7.

Noes: Supervisors Britt, Hallinan, Walker - 3.

Absent: Supervisor Ward - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder - 7.

Noes: Supervisors Britt, Hallinan, Walker - 3.

Absent: Supervisor Ward - 1.

Passed for Second Reading; Rescinded
Passed for Second Reading as Amended

[Public Employment]

((Ordinance amending Annual Salary Ordinance, 1988-89, Superior Court, reflecting the addition of one position; companion measure to File 101-88-77.)) (Civil Service Commission)

Ordinance amending Ordinance No. 269-88 (Annual Salary Ordinance, 1988-89) reflecting the addition of six positions and the deletion of one position in the Superior Court and addition of three positions and a salary range adjustment for three positions in the Municipal Court.

File 102-88-29, Ordinance No.

Supervisor Walker presented as recommendation of Finance Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder - 7.

Noes: Supervisors Britt, Hallinan, Walker - 3.

Absent: Supervisor Ward - 1.

Supervisor Maher, seconded by Supervisor Hsieh, moved to rescind the previous vote.

No objection and motion adopted.

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Supervisor Maher, seconded by Supervisor Hsieh, moved to amend the legislation to correspond with amendments of the whole adopted under Files 101-88-77 and 101-88-78, which would add six positions and delete one position for the Superior Court and create three positions and a salary range adjustment for three positions for the Municipal Court.

Title amended to read: "Ordinance amending Ordinance No. 269-88 (Annual Salary Ordinance, 1988-89) reflecting the addition of six positions and the deletion of one position in the Superior Court and addition of three positions and a salary range adjustment for three positions in the Municipal Court."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder - 7.

Noes: Supervisors Britt, Hallinan, Walker - 3.

Absent: Supervisor Ward - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder - 7.

Noes: Supervisors Britt, Hallinan, Walker - 3.

Absent: Supervisor Ward - 1.

Passed for Second Reading as Amended

[Government Funding]

((Ordinance appropriating \$127,500, Municipal Court, professional services, data/word processing professional service contracts, training, materials and supplies; subject of previous budgetary denial and appropriating \$6,444,500 for the General Reserve for fiscal year 1988-89.)) (Controller)

Ordinance appropriating \$1,200,000, Municipal Court, for permanent salaries and related mandatory fringe benefits, professional services, data/word processing professional service contracts, training, materials and supplies and equipment lease/purchase for the creation of three positions and a salary range adjustment for three positions and appropriating \$5,372,000 for the General Reserve for fiscal year 1988-89."

File 101-88-78, Ordinance No.

Supervisor Walker presented as recommendation of Finance Committee.

Monday, February 27, 1989

Supervisor Maher, seconded by Supervisor Hsieh, moved an amendment of the whole entitled, "Ordinance appropriating \$1,200,000, Municipal Court, for permanent salaries and related mandatory fringe benefits, professional services, data/word processing professional service contracts, training, materials and supplies and equipment lease/purchase for the creation of three positions and a salary range adjustment for three positions and appropriating \$5,372,000 for the General Reserve for fiscal year 1988-89."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder - 7.

Noes: Supervisors Britt, Hallinan, Walker - 3.

Absent: Supervisor Ward - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder - 7.

Noes: Supervisors Britt, Hallinan, Walker - 3.

Absent: Supervisor Ward - 1.

Passed for Second Reading

[Implementation of Settlement Agreement]

Ordinance amending Ordinance No. 501-88 authorizing the conveyance of parcels of real property located at 398 Haight Street and 220 Pierce Street to Tenderloin Neighborhood Development Corporation in furtherance of the implementation of a settlement agreement, by revising certain of the conditions attached to the conveyance of the real property by amending and renumbering Sections 8 through 10 of the ordinance, and by finding that the operation of 220 Pierce Street and 298 Haight Street as low and moderate income housing by this corporation is a public purpose. (Mayor's Office of Housing)

File 224-88-3.1, Ordinance No.

Supervisor Walker presented as recommendation of Finance Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

Monday, February 27, 1989

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Susan Wagner and James Michael Williams vs. City and County, et al., and Susan Wagner, et al., vs. City and County, et al., by payment of \$22,000. (City Attorney)

File 45-89-5, Ordinance No.

(Superior Courts Nos. 818-165 and 870-513)

Supervisor Walker presented as recommendation of Finance Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Calvin Lee against the City and County by payment of \$30,000. (City Attorney)

File 45-89-7, Ordinance No.

(Superior Court No. 880-459)

Supervisor Walker presented as recommendation of Finance Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Sherry Kamhi vs. City and County, Mark Palmer, et al., against the City and County by payment of \$7,000. (City Attorney)

File 45-89-8, Ordinance No.

(Superior Court No. 860-050)

Supervisor Walker presented as recommendation of Finance Committee.

Monday, February 27, 1989

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

[Stadium Operator Admission Tax]

Ordinance amending Part III of the Municipal Code, providing an exemption from the Stadium Operator Admission Tax for tickets sold at twelve dollars and ninety-nine cents (\$12.99) or less to sales on or before December 31, 1989 and making exemption applicable to all paid admissions. (Supervisor Gonzalez)

File 127-89-1, Ordinance No.

(Amends Section 807.)

Supervisor Walker presented as recommendation of Finance Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

[Quitclaim Deed]

Ordinance authorizing a Quitclaim Deed to clear title to the rear 15-foot strip of Lot 5 in Assessor's Block 6967 (2074 Alemany Boulevard) of which was part of a former street, known as "Knight's Place" and to adopt findings of consistency with City Planning Code Section 101.1. (Real Estate Department)

File 183-89-1, Ordinance No.

Supervisor Walker presented as recommendation of Finance Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

[Exchange of Real Property]

Ordinance authorizing exchange of real property and real property rights between the City and County of San Francisco and the Town of

Monday, February 27, 1989

Colma for public street and utility purposes. (Real Estate Department)

File 184-89-1, Ordinance No.

Supervisor Walker presented as recommendation of Finance Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

Adopted

[Emergency Repairs and Loan/State]
Resolution authorizing the Recreation and Park Department to declare a State of Emergency in the amount of \$200,000 to repair damage caused by storms at the San Francisco Marina, and to apply for, accept and expend, a \$100,000 loan from the State of California to help pay for the cost of these repairs. (Recreation and Park Department)

File 28-89-2, Resolution No. 140-89

Supervisor Walker presented as recommendation of Finance Committee.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

[Airport Administration]
Resolution approving supplemental encumbrance of funds in the amount of \$133,500 for Airport Contract No. 2130 pursuant to Declaration of Emergency. (Airports Commission)

File 28-89-3, Resolution No. 141-89

Supervisor Walker presented as recommendation of Finance Committee.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Monday, February 27, 1989

Absent: Supervisors Maher, Ward - 2.

[Acceptance of Gifts]

Resolution accepting one gift valued at \$9,500.87. for use by the Recreation and Park Department. (Recreation and Park Department)

File 38-89-2, Resolution No. 142-89

Supervisor Walker presented as recommendation of Finance Committee.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

[Annual Audit]

Resolution ordering annual audit of Controller's books. Declaring intention of the Board of Supervisors to order an annual audit of Controller's books and to exercise a one year renewal option of a three-year contract with a consortium of accounting firms. (Controller)

File 95-89-1, Resolution No. 144-89

Supervisor Walker presented as recommendation of Finance Committee.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

[Lawsuit]

Resolution authorizing Tax Collector attorney to institute legal proceedings for the recovery of value of services rendered at hospital facilities operated by the Department of Public Health. (Tax Collector)

File 172-89-2, Resolution No. 147-89

Supervisor Walker presented as recommendation of Finance Committee.

Monday, February 27, 1989

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

[Emergency Contract]

Resolution authorizing the Department of Public Health, Emergency Medical Services Agency to enter into an emergency contract with King-American Ambulance Company, Federal Ambulance Company, and San Francisco Ambulance Service. (Department of Public Health)

File 186-89-1, Resolution No. 174-89

Supervisor Walker presented as recommendation of Finance Committee.

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

Adopted; Rescinded;
Adopted as Amended

[Trial Court Funding]

Resolution electing to become subject to the provisions of the State Trial Court Funding Program for the period of July 1, 1989, through June 30, 1990 and committing funds to the Superior and Municipal Courts by the City and County of San Francisco for fiscal year 1989-90. (Supervisor Walker)

File 187-89-1, Resolution No. 133-89

Supervisor Walker presented as recommendation of Finance Committee.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Supervisor Maher, seconded by Supervisor Kennedy, moved to rescind the previous vote.

No objection and motion carried.

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Supervisor Maher, seconded by Supervisor Hsieh, moved to amend title by adding "and committing funds to the Superior and Municipal Courts by the City and County of San Francisco for fiscal year 1989-90" after "1990"; and amend page two, line 19 by adding the following language:

"Further resolved, That the Board of Supervisors of the City and County of San Francisco offers commitment to Superior and Municipal Courts of the City and County of San Francisco that they will receive no less than one third of the general fund savings enjoyed by the City and County of San Francisco because of Trial Court Funding state block grant revenues received for fiscal year 1989-90. In exchange for this commitment the Board of Supervisors requests the Superior and Municipal Courts to approve the City and County of San Francisco's opting into the state block grant funding for fiscal year 1989-1990 under the Trial Court Funding Act. This paragraph is not intended to condition or qualify the requests by the City and County of San Francisco and the Superior and Municipal Courts of San Francisco in any way for funding under the Trial Court Funding Act of 1988. This paragraph is merely the expression of an agreement between the Courts and the Board of Supervisors of San Francisco as to the disposition of Trial Court Funding that becomes available to the City and County of San Francisco."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder - 7.

Noes: Supervisors Hallinan, Walker - 2.

Absent: Supervisors Britt, Ward - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder - 7.

Noes: Supervisors Hallinan, Walker - 2.

Absent: Supervisors Britt, Ward - 2.

Supervisor Britt Excused

President Pro Tempore Nelder announced she had excused Supervisor Britt from the remainder of the meeting.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Ace Washington.

Monday, February 27, 1989

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-9, Resolution No. 134-89

(Susan Bierman, member, City Planning Commission, February 28 - March 8; Sonia Melara, member, Parking Authority, February 15 - 17 and 22 - 24; James Morales, Vice President, City Planning Commission, February 20 - 24; Donald R. Stephens, member, Airports Commission, February 26 - March 1; David Werdegarr, Director of Health, March 6 - 8, 1989.)

Adopted.

[Employee Payroll Deductions]

Resolution recognizing, solely for the purposes of the Administrative Code Section 16.90, the Latino Peace Officers' Association as a bona fide organization of employees. (Supervisor Gonzalez)

File 190-89-1, Resolution No. 139-89

Adopted.

[Gun Control]

Resolution urging the State Legislature to enact AB 357 and SB 292 banning the sale of Para-Military Weapons such as the AK-47 Semi-Automatic Rifle and urging the County Supervisors Association of California and the League of Cities of California to take a position of Support of AB 357 and SB 292. (Supervisors Hongisto, Alioto)

File 12-89-1.2, Resolution No. 135-89

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Britt, Ward - 2.

OFF-CALENDAR LEGISLATION

Monday, February 27, 1989

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Called from Committee

[Public Works Contracts]

Ordinance amending Administrative Code Section 6.47, providing that City Departments may reject the bids of prime contractors when they or their subcontractors are not signatories to a recognized apprenticeship program or do not contribute funds to the California Apprenticeship Council or do not possess the necessary experience and financial qualifications or do not possess or cannot obtain the necessary equipment and permits to perform the contract; small business exemption to apprenticeship requirement.

File 97-88-29

Called from Governmental Operations Committee by Supervisors Kennedy and Hsieh, with direction to schedule for Board meeting of March 20, 1989.

Referred to Committee

[Government Funding]

Ordinance appropriating \$655,000, Public Library, for various capital improvements (1988 Public Library Facilities System Improvement Bonds) and for the creation of two positions. (Supervisors Walker and Nelder presented.) Referred to Finance Committee.

File 101-88-91

[MacBride Principles - Northern Ireland]

Ordinance amending Administrative Code by adding Chapter 12F, implementing the policy of the City and County in support of and in furtherance of the MacBride Principles, which are aimed at reducing employment discrimination in companies doing business in Northern Ireland. (Supervisors Britt and Hallinan presented.) Referred to Human Services Committee.

File 169-88-3

[Sale and Possession of Assault Weapons]

Ordinance amending Police Code by adding Article 35A, which would prohibit the sale and possession of assault weapons in public. (Supervisors Hongisto, Gonzalez, Ward, Alioto presented.) Referred to Human Services Committee.

File 121-89-1

Adopted

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health to accept and expend a grant in the amount of \$834,033 from the Center for

Monday, February 27, 1989

Disease Control for sexually transmitted disease control services and rescinding Resolution No. 760-88.

File 146-88-51.2, Resolution No. 138-89

Supervisor Gonzalez presented for immediate adoption.

Supervisor Gonzalez, seconded by Supervisor Hongisto, moved that the need to take action arose subsequent to the publication of the calendar.

No objection and motion carried.

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Britt, Ward - 2.

Adopted

[Anti-discrimination]

Resolution urging Federal and State officials to enact legislation prohibiting discrimination against individuals with an AIDS, ARC or HIV positive medical status.

File 13-89-2, Resolution No. 136-89

Supervisors Nelder, Hallinan, Hongisto presented for immediate adoption.

Supervisor Gonzalez, seconded by Supervisor Hongisto, moved that the need to take action arose subsequent to the publication of the calendar.

No objection and motion carried.

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Britt, Ward - 2.

Requests for Hearings

File 12-89-4, By Supervisor Hsieh: To consider supporting SB 437, which would require the State Board of Equalization to prepare and keep written records disclosing the method of valuation used to value and assess each state-assessed property and the basis for deviations from the recommendations of the State Board of Equalization's staff regarding that valuation and assessment and SB 438, relating to conflict of interest, member, State Board of Equalization. Referred to Finance Committee.

Monday, February 27, 1989

File 121-89-2, By Supervisor Nelder: To consider enacting legislation which would require each employer in the City and County to provide an employee substance abuse assistance program, including written company substance abuse policy to be posted and distributed to employees and creating \$500 fine for each day of non compliance with the ordinance. Referred to Human Services Committee.

File 121-89-3, By Supervisor Nelder: To consider enacting legislation to bring the City and County into compliance with applicable federal and state laws regarding substance abuse within the workplace with specific, but not exclusive, attention to transportation workers and programs. Referred to Human Services Committee.

File 193-89-1, By Supervisor Nelder: To consider urging the Recreation and Park Commission to rename the Jackson Playground to "Tony Lazzeri Playground". Referred to Public Works Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hsieh, that City Attorney prepare appropriate legislation supporting SB 437, which would require the State Board of Equalization to prepare and keep written records disclosing the method of valuation used to value and assess each state assessed property and the basis for deviations from the recommendations of the State Board of Equalization's staff regarding that valuation and assessment and SB 438, relating to conflict of interest, member, State Board of Equalization.

By Supervisor Nelder, that City Attorney provide written opinion and appropriate legislation to bring the City and County of San Francisco into compliance with applicable federal and state laws regarding substance abuse within the workplace with specific, but not exclusive, attention to transportation workers and programs.

By Supervisor Nelder, that letter be sent to the Mayor urging him to convene a task force comprised of government and business leaders from throughout the Bay Area whose charge it will be to take advantage of the Drug Enforcement Administration's available written materials and willingness to provide personnel for education for business and government to create and advise upon policies concerning "substance abuse in the workplace".

By Supervisor Nelder, that City Attorney prepare appropriate legislation concerning renaming Jackson Playground to "Tony Lazzeri Playground".

By Supervisor Nelder, that City Attorney prepare legislation which would require each employer in the City and County to provide an employee substance abuse assistance program, including written company substance abuse policy to be posted and distributed to employees and creating \$500 fine for each day of non-compliance with the ordinance.

Monday, February 27, 1989

By Supervisor Nelder, that letter be sent to Budget Analyst and General Manager, Retirement System, requesting report on worker's compensation claims filed by employees of the City and County in the past three fiscal years with particular attention concerning claims related to drug/substance abuse and audiological problems.

By Supervisor Gonzalez, that letter be sent to Director of Health inquiring whether investigation can be made concerning possible health hazard caused by rat infestation of yards located at 114 Rhine Street and 149 Wilson Street, San Francisco.

By Supervisor Gonzalez, that City Attorney prepare appropriate legislation urging the Governor to reconsider the proposed elimination of \$37 million in youth authority discretionary grant monies of the County Justice System Subvention Program (AB90).

By Supervisors Gonzalez and Nelder, that City Attorney prepare appropriate legislation urging the Board of Directors of the San Francisco Museum of Modern Art, the San Francisco Redevelopment Agency and the Yerba Buena Gardens Associates to consider establishing child care facilities in the new museum building.

By Supervisor Gonzalez, that letter be sent to Health Commission inquiring whether and when a fulltime epidemiologist has been assigned for non-AIDS related work and to work on the crack epidemic.

By Supervisor Hongisto, that letter of inquiry be sent to District Attorney regarding San Mateo group (Pacific Community Services, P.O. Box 6491, San Mateo, CA 94403) sending notices to neighborhood of Pacheco Street informing residents that City ordinances require that their addresses be painted on the street curb and asking for a donation for doing the work.

By Supervisor Gonzalez, that letter be sent to Director, Purchasing Department, inquiring whether the department has developed a reliable data management system that could accurately tabulate term purchase agreements to minority and women business enterprises for all City departments. If data is available, it be compiled to show the total dollar amount awarded overall and the total dollar amount awarded to minority and women business enterprises and transmitted to the Human Rights Commission.

Motions Adopted

Motion that the Board award Certificates of Honor to the following:

Bill Paul (Supervisor Hongisto)

File 6-89-9

No objection and motion adopted.

Monday, February 27, 1989

ADJOURNMENT

There being no further business, the Board at the hour of 4:56 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, February 27, 1989

Approved by the Board of Supervisors on June 26, 1989

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, March 6, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 6, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Nelder, Walker - 6.

Noted absent at first roll call:

Supervisors Hongisto, Hsieh, Kennedy, Maher, Ward - 5.

Quorum present.

Supervisor Hongisto was noted present at 2:05 p.m.

Supervisor Hsieh was noted present at 2:06 p.m.

Supervisor Kennedy excused, on official leave of absence.

Supervisor Maher excused, on official leave of absence.

Supervisor Ward was noted present at 2:19 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Nelder, seconded by Supervisor Walker, moved that the Journal of Proceedings for Monday, September 19, 1988, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Nelder, Walker - 7.

Absent: Supervisors Hsieh, Kennedy, Maher, Ward - 4.

Monday, March 6, 1989

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Nelder requested that the following measures be severed from the Consent Calendar and considered separately.

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$1,695,000, Port Commission, for capital improvement project (Pier 7), for fiscal year 1988-89. (Controller)

File 101-88-80, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker - 8.

Absent: Supervisors Kennedy, Maher, Ward - 3.

[Government Funding]

Ordinance appropriating \$124,437, Water Department, for permanent salaries-miscellaneous and related mandatory fringe benefits; rescinding \$124,437 from permanent salaries-miscellaneous and related mandatory fringe benefits to reclassify eight (8) positions. (Controller)

File 101-88-82, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Walker, Ward - 7.

Noes: Supervisors Hongisto, Nelder - 2.

Absent: Supervisors Kennedy, Maher - 2.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1988-89, Water Department, reflecting the establishment of two new classifications and the reclassification of eight (8) existing positions to the new classifications; companion measure to File 101-88-82. (Civil Service Commission)

File 102-88-22, Ordinance No.

Monday, March 6, 1989

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Haieh, Walker, Ward - 7.

Noes: Supervisors Hongisto, Nelder - 2.

Absent: Supervisors Kennedy, Maher - 2.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$26,968, Police Department, for permanent salaries - uniform and related mandatory fringe benefits; rescinding \$26,968 from permanent salaries - uniform for the creation of one position Q-80 Captain (Police Department). (Controller)

File 101-88-74, Ordinance No. 58-89

Finally passed.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1988-89, Police Department, reflecting the addition of one position: companion measure to File 101-88-74. (Civil Service Commission)

File 102-88-32, Ordinance No. 59-89

Finally passed.

[Implementation of Settlement Agreement]

Ordinance amending Ordinance No. 501-88 to revise conditions attached to the conveyance of real property located at 398 Haight Street and 220 Pierce Street to Tenderloin Neighborhood Development Corporation. (Mayor's Office of Housing)

File 224-88-3.1, Ordinance No. 63-89

Finally passed.

Monday, March 6, 1989

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Susan Wagner and James Michael Williams vs. City and County, et al., and Susan Wagner, et al., vs. City and County, et al., by payment of \$22,000. (City Attorney)

File 45-89-5, Ordinance No. 54-89

(Superior Court Nos. 818-165 and 870-513)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Calvin Lee against the City and County by payment of \$30,000. (City Attorney)

File 45-89-7, Ordinance No. 55-89

(Superior Court No. 880-459)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Sherry Kamhi vs. City and County, Mark Palmer, et al., against the City and County by payment of \$7,000. (City Attorney)

File 45-89-8, Ordinance No. 56-89

(Superior Court No. 860-050)

Finally passed.

[Stadium Operator Admission Tax]

Ordinance amending Part III of the Municipal Code, providing an exemption from the Stadium Operator Admission Tax for tickets sold at twelve dollars and ninety-nine cents (\$12.99) or less, applicable to sales on or after January 1, 1989. (Supervisor Gonzalez)

File 127-89-1, Ordinance No. 60-89

(Amends Section 807.)

Finally passed.

[Quitclaim Deed]

Ordinance authorizing a Quitclaim Deed to clear title to the rear 15-foot strip of Lot 5 in Assessor's Block 6967 (2074 Alemany Boulevard) of which was part of a former street, known as "Knight's Place" and to adopt findings of consistency with City Planning Code Section 101.1. (Real Estate Department)

Monday, March 6, 1989

File 183-89-1. Ordinance No. 61-89

Finally passed.

[Exchange of Real Property]

Ordinance authorizing exchange of real property and real property rights between the City and County of San Francisco and the Town of Colma for public street and utility purposes. (Real Estate Department)

File 184-89-1. Ordinance No. 62-89

Finally passed.

Adopted

[Contracting Out]

Resolution concurring with the Controller's certification that intake and shelter services to Status Offenders for Juvenile Court can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Supervisor Walker)

File 25-89-1. Resolution No. 165-89

Adopted.

Recommendations of Governmental Operations Committee

Finally Passed

[Airport - Lease and Use Agreement]

Ordinance approving the "Modification to Lease and Use Agreement No. 82-0119" between Northwest Airlines, Inc., and the City and County acting by and through its Airports Commission. (Airports Commission)

File 27-89-1. Ordinance No. 64-89

Finally passed.

[Sealer of Weights and Measures]

Ordinance amending Administrative Code, authorizing the Sealer of Weights and Measures to execute an annual agreement for the inspection of prepackaged items and for the inspection of establishments selling or distributing petroleum products. (Department of Agriculture and Weights and Measures).

File 97-89-3. Ordinance No. 57-89

(Amends Section 1.13-6, Adds Section 1.13-8,
Repeals Section 1.13-1.)

Monday, March 6, 1989

Finally passed.

Adopted

[Parking of Vehicles]

Resolution extending boundaries of Residential Permit Parking Area "P" in the Beideman/Anza Vista Area and adding portions of Broderick Street, between Golden Gate Avenue and McAllister Street, to the list of streets upon which time limitations shall apply. (Department of Public Works)

File 40-88-26, Resolution No. 163-89

Adopted.

[Parking of Vehicles]

Resolution extending boundaries of Residential Permit Parking Area "R" in the Cleary Court Area and adding portion of Eddy Street, between Gough and Laguna Streets, and Webster Street, between Eddy and Turk Streets, to the list of streets upon which time limitations shall apply. (Department of Public Works)

File 40-88-27, Resolution No. 164-89

Adopted.

[Airport Lease and Use Agreement]

Resolution approving the "Modification to Lease and Use Agreement No. 82-0314" between Alaska Airlines, Inc., and the City and County acting by and through its Airports Commission. (Airports Commission)

File 27-89-2, Resolution No. 160-89

Adopted.

[Parking of Vehicles]

Resolution extending boundaries of Residential Permit Parking Area "S" in the Duboce Triangle area and adding portions of Eighteenth Street, between Sanchez and Church Streets; Nineteenth Street, between Douglas and Seward Streets; and Eureka Street, between 20th and 21st Streets, to the list of streets upon which time limitations shall apply. (Department of Public Works)

File 40-89-2, Resolution No. 161-89

Adopted.

[Parking of Vehicles]

Resolution extending boundaries of Residential Permit Parking Area "H" in the Lakeside area and adding Cerritos Avenue, El Plazuela,

Monday, March 6, 1989

Junipero Serra Boulevard Service Road and Lunado Way to the list of streets upon which time limitations shall apply. (Department of Public Works)

File 40-89-3, Resolution No. 162-89

(Cerritos Avenue, between Mercedes Way and Moncada Way;
El Plazuela, between Junipero Serra Boulevard Service
Road; Junipero Serra Boulevard Service Road, between Paloma
Avenue and Mercedes Way, Lunado Way, Between Mercedes Way and
Holloway Avenue.)

Adopted.

[Lease of Real Property]

Resolution authorizing extension of an existing revocable license at
450 Seventh Street for parking of Police Department vehicles. (Real
Estate Department)

File 64-89-5, Resolution No. 169-89

Adopted.

Recommendations of Public Works Committee

Adopted

[Stop Intersections]

Resolution designating certain intersections as Stop intersections.
(Department of Public Works)

File 18-89-2, Resolution No. 154-89

(Stop Signs - Establish

Anderson Street and Jarboe Avenue, northwest corner, stopping
southbound Anderson Street traffic;

Byxbee Street and Shields Street, southeast and northwest
corners, stopping Byxbee Street traffic;

Anderson and Powhatten Streets, southeast corner, stopping
northbound Anderson Street traffic.)

Adopted.

[Traffic Regulations]

Resolution enacting and rescinding traffic regulations, various
streets. (Department of Public Works)

File 20-89-1, Resolution No. 159-89

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(Tow-Away No Stopping Anytime - Establish

Broadway, south side, between Osgood Place and Sansome Street;

Multiple Left Turn Lane - Establish

Folsom Street, two left lanes, eastbound, onto Embarcadero Freeway at Beale Street;

No Left Turn - Establish

Mission Street, westbound, at Fourth Street;

Right Lane Must Turn Right - Rescind

8th Street, southbound, at Harrison Street;

Tow-Away, No Stopping Anytime, "7 A.M. to 6 P.M., Everyday"- Rescind

O'Farrell Street, south side, between Cyril Magnin and Stockton Streets;

Tow-Away, No Stopping Anytime, "7 A.M. to 9 P.M., Everyday" - Establish

O'Farrell Street, south side, from Cyril Magnin Street to Powell Street and from 66 feet east of Powell Street to Stockton Street;

Two Left Lanes Must Turn Left - Establish

8th Street, southbound, at Brannan Street;

Left Lane Must Turn Left - Establish

8th Street, northbound, at Brannan Street;

Right Lane Must Turn Right - Establish

8th Street, northbound, at Brannan Street;

Tow-Away No Stopping Anytime - Establish

Brannan Street, north side, from 6th Street to 150 feet easterly.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Nelder, Walker - 7.

Absent: Supervisors Hsieh, Kennedy, Maher, Ward - 4.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Monday, March 6, 1989

Consideration Continued as Amended

[Government Funding]

Ordinance appropriating ((\$34,506)) \$189,345, County Clerk, for permanent salaries-miscellaneous and related mandatory fringe benefits and facilities maintenance projects for the creation of ((fourteen)) seventeen positions and the deletion of fourteen positions; subject of previous budgetary denial((: placing \$11,555 on reserve)). (Controller)

File 101-88-76, Ordinance No.

Supervisor Hongisto, seconded by Supervisor Hsieh, moved to amend by restoring appropriation from \$34,506" to "\$189,345"; by adding three positions and by deleting reference to placing \$11,555 on reserve.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Hongisto, Hsieh, Nelder - 4.

Noes: Supervisors Britt, Hallinan, Walker - 3.

Absent: Supervisors Gonzalez, Kennedy, Maher, Ward - 4.

Supervisor Hongisto, seconded by Supervisor Hsieh, moved to continue consideration as amended to March 20, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker, Ward - 9.

Absent: Supervisors Kennedy, Maher - 2.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1988-89, Office of the County Clerk, reflecting the reclassification of fourteen (14) positions and the addition of three positions; companion measure to File 101-88-76. (Civil Service Commission)

File 102-88-31, Ordinance No.

Supervisor Hongisto, seconded by Supervisor Hsieh, moved to amend by adding three positions (8106 Legal Process Clerk, 8108 Sr. Legal Process Clerk and 8113 Court Clerk).

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hongisto, Hsieh, Nelder, Ward - 6.

Noes: Supervisors Britt, Hallinan, Walker - 3.

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Absent: Supervisors Kennedy, Maher - 2.

Supervisor Hongisto, seconded by Supervisor Alioto, moved to continue consideration as amended to March 20, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker, Ward - 9.

Absent: Supervisors Kennedy, Maher - 2.

[Government Funding]

Ordinance appropriating \$1,014,933, Superior Court, for permanent salaries-miscellaneous and related mandatory fringe benefits, fees and other compensation, other contractual services, use of employee cars, travel, materials and supplies, equipment, data/word processing equipment, services of other departments-Police, Social Services, CAO insurance and risk reduction-facilities maintenance projects and capital improvement projects for the creation of six positions and deletion of one position for fiscal year 1988-89((; placing \$50,550 on reserve)). (Controller)

File 101-88-77, Ordinance No.

Supervisor Hongisto, seconded by Supervisor Hsieh, moved to amend by deleting reference to "placing \$50,550 on reserve".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hongisto, Hsieh, Nelder, Ward - 6.

Noes: Supervisors Britt, Hallinan, Walker - 3.

Absent: Supervisors Kennedy, Maher - 2.

Supervisor Hongisto, seconded by Supervisor Hsieh, moved to continue consideration as amended to March 20, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker, Ward - 9.

Absent: Supervisors Kennedy, Maher - 2.

Consideration Continued

[Government Funding]

Ordinance appropriating \$1,200,000, Municipal Court, for permanent salaries and related mandatory fringe benefits, professional services, data/word processing professional service contracts,

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training, materials and supplies and equipment lease/purchase for the creation of three positions and a salary range adjustment for three positions and appropriating \$5,372,000 for the general reserve for fiscal year 1988-89. (Controller)

File 101-88-78, Ordinance No.

Supervisor Hongisto, seconded by Supervisor Nelder, moved to continue consideration to March 20, 1989.

Motion to continue as adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker, Ward - 9.

Absent: Supervisors Kennedy, Maher - 2.

[Public Employment]

Ordinance amending Ordinance No. 269-88 (Annual Salary Ordinance, 1988-89) reflecting the addition of six (6) positions and the deletion of one position in the Superior Court and addition of three positions and a salary range adjustment for three positions in the Municipal Court; companion measure to Files 101-88-77 and 101-88-78. (Civil Service Commission)

File 102-88-29, Ordinance No.

Supervisor Hongisto, seconded by Supervisor Nelder, moved to continue consideration to March 20, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker, Ward - 9.

Absent: Supervisors Kennedy, Maher - 2.

Recommendation of Governmental Operations Committee

Finally Passed

[Lease of Property]

Ordinance approving the lease between Mission Creek Harbor Association, Inc. and the City and County, operating by and through the Port Commission. (Port Commission)

File 173-89-1, Ordinance No.

Supervisor Gonzalez, seconded by Supervisor Walker, moved to continue consideration to March 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Walker - 6.

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Noes: Supervisor Nelder - 1.

Absent: Supervisors Alioto, Kennedy, Maher, Ward - 4.

Supervisor Nelder, seconded by Supervisor Gonzalez, moved to rescind the previous vote.

No objection and motion carried.

The roll was called on the motion to continue and it was refused adoption by the following vote:

Ayes: Supervisors Hallinan, Hongisto - 2.

Noes: Supervisors Alioto, Britt, Gonzalez, Hsieh, Nelder, Walker - 6.

Absent: Supervisors Kennedy, Maher, Ward - 3.

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Hsieh, Nelder, Walker - 7.

Noes: Supervisor Hallinan - 1.

Absent: Supervisors Kennedy, Maher Ward - 3.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$13,585, Public Works-Cleanwater, for capital improvement projects (Harrison-Merlin to 5th and 6th) and certifying \$13,585 from capital improvement projects (Harrison-Merlin to 5th and 6th) to cover coverage above ten percent (10%) of contracted amount pursuant to provisions of Charter Section 7.203, for fiscal year 1988-89; and providing for ratification of action previously taken. (Controller)

File 101-88-81, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker, Ward - 9.

Absent: Supervisors Kennedy, Maher - 2.

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Adopted

[Lawsuit]

Resolution authorizing Tax Collector Attorney to institute legal proceedings for the recovery of value of services rendered at hospital facilities operated by the Department of Public Health. (Tax Collector)

File 172-89-3, Resolution No. 171-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker, Ward - 9.

Absent: Supervisors Kennedy, Maher - 2.

[Housing Bonds]

Resolution amending Resolution No. 748-85 by amending the rules and regulations for the City and County Single Family Mortgage Revenue Bond Programs. (Mayor's Office of Housing)

File 188-89-1, Resolution No. 175-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker, Ward - 9.

Absent: Supervisors Kennedy, Maher - 2.

Recommendations of Governmental Operations Committee

Rereferred to Committee

[Parking Permits]

Ordinance amending Traffic Code, allowing issuance of Residential Parking Area "OL" permits to daytime employees in the West Portal/Saint Francis Woods District for a one-year trial period. (Department of Public Works)

File 124-89-1, Ordinance No.

(Adds Sections 308.6 through 308.6-5.)

Supervisor Gonzalez, seconded by Supervisor Nelder, moved to rerefer to Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker, Ward - 9.

Absent: Supervisors Kennedy, Maher - 2.

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Consideration Continued

[Bail Increase for Parking Prohibition]

Resolution urging Municipal Court to increase the bail for violation of California Vehicle Code Section 22522 to \$50.00 (prohibits any vehicle from parking within three feet of any sidewalk access ramp). (Supervisors Kennedy, Gonzalez, Hsieh, Alioto)

File 334-88-3, Resolution No.

Supervisor Walker, seconded by Supervisor Gonzalez, moved to continue consideration to March 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Walker - 6.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Alioto, Kennedy, Maher, Ward - 4.

Adopted

[Sublease of Real Property]

Resolution authorizing sublease of real property at 1550 Evans Avenue, for the Clean Water Program, Department of Public Works to provide offices and sixty on-site parking spaces. (Real Estate Department)

File 64-89-4, Resolution No. 168-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker, Ward - 9.

Absent: Supervisors Kennedy, Maher - 2.

Recommendations of Human Services Committee

Adopted as Amended

[Crack-Cocaine Task Force]

Resolution establishing a Crack-Cocaine Task Force of interdepartmental representatives to study the widespread use of crack-cocaine in San Francisco and make recommendations to the Mayor and the Board of Supervisors to address the problems resulting from the use of the drug; providing for report. (Supervisor Gonzalez)

File 207-88-2.1, Resolution No. 185-89

Supervisor Gonzalez, seconded by Supervisor Hongisto, moved to amend title, line six, by adding "; providing for report" after "drug"; page two, line six, by replacing "summary" with "monthly" and page two, line seven, by adding "and on a quarterly basis

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prepare and submit summary report with recommendations to the Board of Supervisors" after "recommendations".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker, Ward - 9.

Absent: Supervisors Kennedy, Maher - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker, Ward - 9.

Absent: Supervisors Kennedy, Maher - 2.

Adopted

[Funding Task Force Recommendations and Educational Program]
Resolution urging the Mayor to allocate one million dollars to fund recommendations of the Mayor's Drug Symposium Task Force and to fund educational programs to warn youngsters of risks of sexually transmitted diseases, including AIDS, associated with crack cocaine use. (Supervisor Gonzalez)

File 207-88-2.2, Resolution No. 186-89

Supervisor Hallinan, seconded by Supervisor Nelder, moved to amend by replacing "one million dollars" with "adequate resources".

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Hallinan, Hsieh, Nelder - 3.

Noes: Supervisors Alioto, Britt, Gonzalez, Walker - 4.

Absent: Supervisors Hongisto, Kennedy, Maher, Ward - 4.

Thereupon, the roll was called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Nelder, Walker - 6.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Hongisto, Kennedy, Maher, Ward - 4.

Recommendations of Land Use Committee

Adopted

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[Interim Controls - Bernal Heights Special Use District]
Resolution amending the Bernal Heights Special Use District to remove certain lots (Block 5615, Lots 22 and 70) from the interim controls. (Supervisor Maher)

File 111-88-13, Resolution No. 170-89

(Exempt from environmental review; general rule exclusion.)

Pursuant to City Planning Code Section 306.7, Supervisor Hallinan presented a report, dated February 29, 1989, of the substance of the hearing before the Land Use Committee on the subject legislation (copy of which is contained in Board of Supervisors file).

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker - 8.

Absent: Supervisors Kennedy, Maher, Ward - 3.

Passed for Second Reading

[Zoning Map Amendment - Van Ness Avenue]
Ordinance adopting changes in property use and height and bulk classification by amending the Zoning Map of the City and County for the area in the vicinity of Van Ness Avenue between Elm Street and Turk Street to reclassify property therein from NC-3 to RC-4 and to reclassify height and bulk districts from 130-E to 130-V.
(Department of City Planning)

File 36-89-1, Ordinance No.

(The Board adopted Resolution No. 932-88, adopting Final Environmental Impact Report on December 5, 1988.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker - 8.

Absent: Supervisors Kennedy, Maher, Ward - 3.

Passed for Second Reading as Amended

[Van Ness Avenue Rezoning and Planning Controls]
Ordinance amending City Planning Code to modify the Van Ness Special Use District and impose restrictions on property within that district, including restrictions on the use of property and the use of signs. (Supervisors Ward, Britt, Nelder, Gonzalez, Hsieh)

File 115-88-8.1, Ordinance No.

(Amends Sections 181, 243 and 607.3.)

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(Approved by City Planning Commission Resolution No. 11587. The proposed amendments will cause no substantial change in the environmental impacts of the Van Ness Avenue Plan and rezoning discussed in the EIR adopted by Board of Supervisors Resolution No. 932-88 on 12/5/88; see City Planning Commission Resolution No. 11240.)

Supervisor Walker, seconded by Supervisor Hallinan, moved to amend by adding new language contained in File 115-89-1 regarding fast food uses.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker - 8.

Absent: Supervisors Kennedy, Maher, Ward - 3.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker - 8.

Absent: Supervisors Kennedy, Maher, Ward - 3.

Tabled

[Van Ness Avenue Rezoning and Planning Controls]
Ordinance amending City Planning Code to modify the Van Ness Special Use District and impose restrictions on property within that district; companion measure to Files 36-89-1 and 115-88-8.1.
(Department of City Planning)

File 115-89-1, Ordinance No.

(Amends Section 243.)

(The Board adopted Resolution No. 932-88, adopting Final Environmental Impact Report on December 5, 1988.)

Supervisor Walker, seconded by Supervisor Hallinan, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker - 8.

Absent: Supervisors Kennedy, Maher, Ward - 3.

Recommendations of Public Works Committee

Adopted

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[Stop Intersection]

Resolution designating Stop intersection at Broderick and Page Streets. (Public Works Committee)

File 18-88-24, Resolution No. 155-89

(Stop Intersections - Establish

Broderick and Page Streets, southeast and northwest corners, stopping Broderick Street traffic (Makes this an all-way Stop.).)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker - 8.

Absent: Supervisors Kennedy, Maher, Ward - 3.

[Stop Intersection]

Resolution designating Stop intersection at Balboa Street and 28th Avenue. (Public Works Committee)

File 18-88-26, Resolution No. 156-89

(Stop Intersections - Establish

Balboa Street and 28th Avenue, northeast and southwest corners, stopping Balboa Street traffic (Makes this an all-way Stop.).)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker - 8.

Absent: Supervisors Kennedy, Maher, Ward - 3.

[Parking Regulation]

Resolution enacting parking regulation on Hyde Street. (Public Works Committee)

File 19-88-17.1, Resolution No. 158-89

(Tour Bus Parking Only - Establish

Hyde Street, east side, between Jefferson Street and Beach Street.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker - 8.

Absent: Supervisors Kennedy, Maher, Ward - 3.

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[Taxicab Stands]

Resolution rescinding location of Taxicab stand on Bay Street.
(Public Works Committee)

File 15-89-1, Resolution No. 152-89

(Taxicab Stand - Rescind

Bay Street, north side, from 37 feet to 59 feet east of Jones Street.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker - 8.

Absent: Supervisors Kennedy, Maher, Ward - 3.

[Stop Intersection]

Resolution designating Stop intersection at Mangels and Hazelwood Avenues. (Public Works Committee)

File 18-89-1, Resolution No. 153-89

(Stop Intersections - Establish

Mangels and Hazelwood Avenues, southeast and northwest corners, stopping Hazelwood Avenue traffic (makes this an all way Stop.).

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker - 8.

Absent: Supervisors Kennedy, Maher, Ward - 3.

[Parking Regulations]

Resolution enacting and rescinding parking regulations, various streets. (Public Works Committee)

File 19-89-1, Resolution No. 157-89

(Perpendicular (90 Degree) Parking - Establish

Cornwall Street, north side, from 6th Avenue to 80 feet easterly;

Angle (60 Degree) Parking - Rescind

Cornwall Street, south side, from 75 feet to 142 feet east of 6th Avenue;

Angle (45 Degree) Parking - Establish

Gough Street South, east side, on west side of Bay between Mission Street and Colton Street;

Perpendicular (90 Degree) Parking - Establish

Vermont Street, west side, from 15th Street to 219 feet northerly;

San Bruno Avenue, east side, between 16th and 17th Streets;

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Tow-Away No Parking Anytime - Rescind

Vermont Street, west side, from 15th Street to 219 feet northerly.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker - 8.

Absent: Supervisors Kennedy, Maher, Ward - 3.

Tabled

[Parking]

Resolution urging the Mayor to urge the Chief Administrative Officer to direct the Department of Public Works to expedite the establishment of two-hour parking on San Leandro Way pursuant to Resolution No. 921-88. (Supervisor Gonzalez)

File 19-89-2, Resolution No.

Supervisor Gonzalez, seconded by Supervisor Walker, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker - 8.

Absent: Supervisors Kennedy, Maher, Ward - 3.

Consideration Continued As Amended

[Global Releaf Effort]

Resolution urging the Mayor to declare Saturday, April 29, 1989, to be San Francisco((ReLeaf)) Reforestation Day; and establishing as City policy that 1,000,000 trees be planted in the City and County by the year 2000; urging the Mayor to create a San Francisco ((ReLeaf)) Reforestation Task Force to examine ways in which this goal and the long term maintenance of these trees can be achieved, including such things as a voluntary one dollar property assessment or twenty-five cent addition to adult, non-subsidized entry to such entertainment programs as movies, concerts and sporting events. (Supervisors Nelder, Kennedy)

File 169-89-1, Resolution No.

Supervisor Nelder, seconded by Supervisor Hongisto, moved to amend by replacing "releaf" with "reforestation" wherever it appears in the legislation.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker - 8.

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Absent: Supervisors Kennedy, Maher, Ward 3.

Supervisor Nelder, seconded by Supervisor Walker, moved to continue consideration as amended to March 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Nelder, Walker - 6.

Absent: Supervisors Hongisto, Hsieh, Kennedy, Maher, Ward - 5.

Adopted

[Lake Merced Negative Declaration]

Resolution adopting Final Negative Declaration, finding and determining that the proposed construction of the Lake Merced Transport Storage Facilities will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Department of Public Works)

File 185-89-1, Resolution No. 172-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Nelder, Walker - 7.

Absent: Supervisors Hsieh, Kennedy, Maher, Ward 4.

[Lake Merced Transport Facilities Approval]

Resolution approving the facility plan of the Department of Public Works and Clean Water Program for the construction of the Lake Merced Transport Facilities; companion measure to File 185-89-1. (Department of Public Works)

File 185-89-1.1, Resolution No. 173-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Nelder, Walker - 7.

Absent: Supervisors Hsieh, Kennedy, Maher, Ward - 4.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

[Public Hearing]

Hearing of persons interested in or objecting to the decision of the Director of Public Works for gas and electric services at 5 Fella Place ordered to be rendered by said Director pursuant to the

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provisions of Sections 203(m) and/or 203(o) of the Building Code; the costs thereof having been paid for out of the Repair and Demolition Fund. (Department of Public Works)

File 41-89-1

(Total cost \$101.13.)

The President inquired if there was anyone present desiring to speak.

There being no response, the President declared the hearing closed.

From the Department of Public Works

Adopted

[Assessment of Cost]

Resolution confirming report of assessment of costs submitted by the Director of Public Works for gas and electric services at 5 Fella Place ordered to be rendered by said Director pursuant to the provisions of Sections 203(m) and/or 203(o) of the Building Code; the costs thereof having been paid for out of the Repair and Demolition Fund. (Department of Public Works)

File 41-89-1, Resolution No. 166-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Nelder, Walker - 7.

Absent: Supervisors Hongisto, Kennedy, Maher, Ward - 4.

SPECIAL ORDER - 3:00 P.M.

[Public Hearing]

Hearing of persons interested in or objecting to the decision of the Director of Public Works for gas and electric services at 460 Lyon Street ordered to be rendered by said Director pursuant to the provisions of Sections 203(m) and/or 203(o) of the Building Code; the costs thereof having been paid for out of the Repair and Demolition Fund. (Department of Public Works)

File 41-89-2

(Total cost \$397.86.)

The President inquired if there was anyone present desiring to speak.

There being no response, the President declared the hearing closed.

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From the Department of Public Works

Adopted

[Assessment of Cost]

Resolution confirming report of assessment of costs submitted by the Director of Public Works for gas and electric services at 460 Lyon Street ordered to be rendered by said Director pursuant to the provisions of Sections 203(m) and/or 203(o) of the Building Code; the costs thereof having been paid for out of the Repair and Demolition Fund. (Department of Public Works)

File 41-89-2, Resolution No. 167-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Nelder, Walker - 7.

Absent: Supervisors Hongisto, Kennedy, Maher, Ward - 4.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Joe O'Donoghue, 1212 Market Street;
Don Grendal.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-10, Resolution No. 149-89

(Peter Ashe, member, Retirement Board, May 4 - 5; Mary E. Burns, General Manager, Recreation & Park, May 19 - 28; Paul Denning, member, Retirement Board, February 28; Jim Foster, member, Health Commission, February 23 - March 1, March 2 - 6 and 9 - 20; Bonnie Gibson, member, Retirement Board, March 28; Tom Hsieh, member, Board of Supervisors, April 18 - 23; Patrick A. Murphy, member, Airports Commission, March 7 - 11; Frank A. Quinn, member, Fire Commission, March 5 - 19; Donald R. Stephens, member, Airports Commission, February 26 - March 1; John L. Taylor, Clerk of the Board of Supervisors, May 1 - 31; L.A. Turpen, Director of Airports, May 7 - 14; Raymond Weisberg, M.D., member, Retirement Board, February 27 - March 5, 1989.)

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Adopted.

The foregoing item on the Immediate Adoption Calendar was acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Nelder, Walker - 6.

Absent: Supervisors Hongisto, Hsieh, Kennedy, Maher, Ward - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Government Funding]

Ordinance appropriating \$58,000, Police Department, for overtime (Police Athletic League Program at Oceanview Playground) and rescinding \$58,000 for Narcotics Forfeiture Fund. (Supervisor Nelder presented.) Referred to Finance Committee.
File 101-88-93

Adopted

[Proclamation]

Resolution urging the Mayor to declare March 8, 1989 as International Women's Day and encouraging citizens to celebrate this day with appropriate events, programs and activities.

File 4-89-6, Resolution No. 150-89

Supervisor Britt presented for immediate adoption.

Supervisor Walker, seconded by Supervisor Alioto, moved that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Nelder, Walker - 7.

Absent: Supervisors Hsieh, Kennedy, Maher, Ward - 4.

The roll was called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Nelder, Walker - 6.

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Absent: Supervisors Hongisto, Hsieh, Kennedy, Maher, Ward - 5.

[Proclamation]

Resolution urging the Mayor to proclaim March 8, 1989 as Dolores Huerta Day and to proclaim Dolores Huerta as San Francisco's International Woman of 1989.

File 4-89-7, Resolution No. 176-89

Supervisor Gonzalez presented for immediate adoption.

Supervisor Gonzalez, seconded by Supervisor Hongisto, moved that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Walker - 6.

Absent: Supervisors Hsieh, Kennedy, Maher, Nelder, Ward - 5.

The roll was called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Nelder, Walker - 6.

Absent: Supervisors Hongisto, Hsieh, Kennedy, Maher, Ward - 5.

Referred to Board

[Proclamation]

Resolution affirming a woman's right to reproductive choice and urging the Mayor to declare April 2, 1989, "A Woman's Right to Choose Day" in San Francisco. (Supervisor Walker presented.) Referred to Board March 13, 1989 Immediate Adoption Calendar.

File 4-89-8, Resolution No. 151-89

Adopted

[Gift Acceptance]

Resolution authorizing the Mayor to accept and expend gifts offered to the City and County of San Francisco for the purpose of financing a trade mission delegation to Asia.

File 38-89-4, Resolution No. 151-89

Supervisor Nelder presented for immediate adoption.

Supervisor Nelder, seconded by Supervisor Hallinan, moved that the need to take action arose subsequent to the publication of the calendar.

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Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Nelder, Walker - 6.

Absent: Supervisors Hongisto, Hsieh, Kennedy, Maher, Ward - 5.

The roll was called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Nelder, Walker - 6.

Absent: Supervisors Hongisto, Hsieh, Kennedy, Maher, Ward - 5.

Referred to Committee

[Homeless]

Resolution urging the Mayor and the Director of the Port of the City and County to consider the utilization of available Port properties to alleviate the crisis of homelessness. (Supervisor Nelder presented.) Referred to Public Works Committee.

File 83-89-2

[Proposed I-80 Widening]

Resolution opposing Caltrans' proposed widening of I-80 through the City of Berkeley, supporting proposals for proper maintenance and efficient transportation facilities, and urging the Mayor to urge Caltrans to consider transportation planning that is more environmentally appropriate for the Bay Area than freeway widening. (Supervisor Britt presented.) Referred to Public Works Committee.

File 164-89-1

[Developmentally Disabled Jobs Program]

Resolution urging the Mayor to create a Developmentally Disabled Adult Jobs Program, encouraging a public/private partnership for the creation of employment to allow qualified individuals to participate in gainful employment and to live as productive citizens. (Supervisor Nelder presented.) Referred to Human Services Committee.

File 194-89-1

[Needs Assessment Report]

Resolution accepting Needs Assessment Report by Jail Policy and Planning Advisory Committee and authorizing its submittal to the State Board of Corrections for approval. (Supervisor Walker presented.) Referred to Human Services Committee.

File 195-89-1

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[South of Market Inter-agency Task Force]

Resolution creating an Inter-agency Task Force to study housing and transit in the South of Market area. (Supervisor Britt presented.) Referred to Land Use Committee.

File 196-89-1

Requests for Hearings

File 308-87. By Supervisor Gonzalez: To consider status of renovation of the Mission Cultural Center. Reactivated pursuant to Board of Supervisors Rule 4.29. Referred to Public Works Committee.

File 13-89-3. By Supervisor Kennedy: To consider impact of Internal Revenue Code Section 89 on employee benefits programs. Referred to Governmental Operations Committee.

File 18-89-5. By Supervisor Alioto: To consider installation of four-way Stop sign at Faxon and Wildwood Avenues. Referred to Public Works Committee.

File 20-89-3. By Supervisor Kennedy: To consider ways to improve notice to public of crosswalk closure and/or extension of barriers on Geary Boulevard and Webster Street. Referred to Public Works Committee.

File 186-89-4. By Supervisor Nelder: To consider creation, production and distribution of booklet encouraging a "Drug Free San Francisco" which will contain information concerning the dangers and risks attendant to drug/substance abuse, indicia of drug/substance abuse in the home, workplace and school and a listing of rehabilitation and educational programs available. Referred to Human Services Committee.

File 197-89-1. By Supervisor Nelder: To consider efforts made by the City and the Convention and Visitors Bureau to promote San Francisco's cultural and athletic attractions as a focal point for overnight and weekend visitors. Referred to Human Services Committee.

File 197-89-2. By Supervisor Nelder: To consider how the City can pursue the growth of tourism in San Francisco. Referred to Human Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that letter of inquiry be sent to Director of Public Works regarding the viability of distributing extra parking permits for school district employees working at schools that have no public parking lots in the vicinity.

By Supervisor Alioto, that letter of inquiry be sent to Director of Public Works concerning the availability of handicapped parking in Noe Valley, particularly on 24th Street.

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By Supervisor Gonzalez, that letter of inquiry be sent to Director of Health to determine what progress the department is making towards establishing detoxification and other health services to assist cocaine-addicted pregnant mothers and to help them to detox before childbirth delivery in order to reduce the incidence and severity to cocaine-addicted infant injury.

By Supervisor Nelder, that Budget Analyst prepare report comparing tourism and conventions, with specific attention to publicity and advertising funds spent by the City and the Convention and Visitors Bureau to attract visitors to include but not restricted to analysis of the dollars spent by visitors (examples: hotel, restaurants, taxicabs, entertainment, etc) and a comparison of revenues generated by convention attendees and by "the average" tourists.

By Supervisor Nelder, that Budget Analyst prepare report on the economic impact of overnight and weekend visitors to San Francisco for its cultural and athletic attractions.

By Supervisor Kennedy, that City Attorney prepare appropriate legislation providing for mandatory recycling.

By Supervisor Kennedy, that City Attorney advise whether the San Francisco Redevelopment Agency may develop Housing Authority properties into affordable housing units; and if so, draft appropriate legislation.

By Supervisor Kennedy, that City Attorney prepare charter amendment which will make the Human Rights Commission a charter commission.

By Supervisor Kennedy, that City Attorney draft legislation which would establish a minority/women/local business enterprise ordinance that will meet the requirements of City of Richmond v. J.A. Croson Co. for introduction on March 13, 1989.

By Supervisor Kennedy, that City Attorney review Files 97-88-29 and 97-88-29.1 regarding public works contract and advise how the following affects the proposed legislation: the right to freely assemble and associate, prohibition against denial of equal protection, NLRA and ERISA.

By Supervisor Kennedy, that City Attorney advise on the impact of Internal Revenue Code Section 89 on employee benefit programs and to which specifically named programs provided to employees of the City are affected and which programs are not affected.

By Supervisor Kennedy, that letter of inquiry be sent to Executive Director, Health Service System Board transmitting copy of letter and requesting investigation concerning lack of sufficient office equipment for its department.

By Supervisor Kennedy, that letters be sent to General Manager, Public Utilities, and Director of Public works transmitting copy of An Integrated Transportation Plan for the City of San Francisco and the San Francisco Bay Region and inquiring whether this proposal has been reviewed and considered.

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By Supervisor Kennedy, that letter of inquiry be sent to relevant officers, boards and commissions granted with discretion by Administrative Code Section 6.47 to reject bids under specified circumstances to determine whether such discretion have been exercised in the past two years; and if so, the reason for each rejection and the dollar amount of the affected contract.

By Supervisor Kennedy, that City Attorney draft appropriate language to provide that copies of Board calendar items, including, but not limited to, proposed ordinances and resolutions, the relevant budget analyst's reports and any matters submitted to the file for each calendar item, shall be transmitted by the Clerk of the Board of Supervisors directly to the members of the Board of Supervisors at least thirty-six hours before the commencement time of each regular Board meeting and at least 18 hours before the commencement time of each special meeting.

By Supervisor Kennedy, that letter of inquiry be sent to Director of Public Works concerning crosswalk closure on Geary Boulevard and Webster Street to determine whether signs advising of the crosswalk closure and recommending overpass travel will be installed and whether the barriers may be extended to provide more notice and protection to pedestrians.

By Supervisor Walker, that letter of inquiry be sent to Chief Administrative Officer to ascertain what water conservation plan/measures have been implemented in City Hall with regards to dripping faucets, flushing toilets, drinking fountains, cleaning floors, etc.

By Supervisor Walker, that City Attorney prepare appropriate legislation revising the legal notification requirements for the City and County which would require that the official newspaper be published, but not necessarily printed, in San Francisco; that the official newspaper be published at least one weekday and at least one day during the weekend (Friday, Saturday, or Sunday); that the bonafide delivered circulation of each issue of the official newspaper be at least 100,000.

By Supervisor Walker, that City Attorney prepare appropriate legislation implementing the Employee Wellness Plan by establishing an independent unit in the Health Department.

By Supervisor Walker, that City Attorney provide interpretation of Ordinance No. 528-88, page 12, Section 2(a)(4) regarding community programming.

Motions Adopted

Motion that the Board award Certificates of Honor to the following:

Lee On Dong National Association (Supervisor Hsieh)
Mickey Luckoff (Supervisor Nelder)
Bob O'Brien (Supervisor Hsieh)
Vince Rovetti (Supervisor Hsieh)
Gerald J. Ryan, C.L.U. (Supervisor Hongisto)
The Thurston Clan (Supervisor Nelder)

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Jim Wingate (Supervisor Gonzalez)
WEDGE and Christian Haren (Supervisors Alioto, Britt)

File 6-89-10

No objection and motion adopted.

Motion that the Board award Letters of Commendation to the following:

On Lok Community Housing, Inc. (Supervisors Britt, Nelder)
On Lok Senior Health Services (Supervisors Britt, Nelder)
Chinese Community Housing Corporation (Supervisors Britt, Nelder)

File 8-89-10

No objection and motion adopted.

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Dorothy Becker (Supervisor Britt)
John Buick (Supervisors Walker, Gonzalez)

File 2-89-10

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:10 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

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Approved by the Board of Supervisors on June 26, 1989

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors



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Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 13, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Britt, Gonzalez, Hallinan, Kennedy, Maher, Nelder, Walker - 7.

Noted absent at first roll call:

Supervisors Alioto, Hongisto, Hsieh, Ward - 4.

Quorum present.

Supervisor Alioto excused from attendance. (See infra.)

Supervisor Hongisto excused from attendance. (See infra.)

Supervisor Hsieh was noted present at 2:08 p.m.

Supervisor Ward was noted present at 2:11 p.m.

Supervisors Alioto and Hongisto Excused

The Clerk announced that Supervisor Alioto had requested to be excused from attendance because she was called out of the state and Supervisor Hongisto requested to be excused because of the death of his father.

Supervisor Walker, seconded by Supervisor Hallinan, moved to excuse Supervisors Alioto and Hongisto from attendance today.

Motion adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Alioto, Hongisto, Ward - 3.

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CONSENT CALENDAR

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$22,000, Police Department, for communications equipment; rescinding \$22,000 from permanent salaries-uniform for fiscal year 1988-89. (Controller)

File 101-88-85, Ordinance No.

Passed for second reading.

[Government Funding]

Ordinance appropriating \$125,634, Public Library, for mandatory fringe benefits for fiscal year 1988-89. (Controller)

File 101-88-86, Ordinance No.

Passed for second reading.

[Transfer of Property]

Ordinance authorizing the transfer of 6.54 acres of Water Department land situated in San Mateo County to the City of Daly City. (Real Estate Department)

File 183-89-2, Ordinance No.

Passed for second reading.

Adopted

[Gift Acceptance]

Resolution accepting the gift of a statue by Jim Dine titled "Howard Street Venus" from the Convention Plaza, Inc., for the City and County of San Francisco. (Arts Commission)

File 38-89-3, Resolution No. 184-89

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Alioto, Hongisto, Ward - 3.

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REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$1,695,000, Port Commission, for capital improvement project (Pier 7), for fiscal year 1988-89. (Controller)

File 101-88-80, Ordinance No. 66-89

Finally passed by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Alioto, Hongisto, Ward - 3.

[Government Funding]

Ordinance appropriating \$13,585, Public Works-Clean Water, for capital improvement projects (Harrison-Merlin to 5th and 6th) and certifying \$13,585 from capital improvement projects (Harrison-Merlin to 5th and 6th) to cover overage above ten percent (10%) of contracted amount pursuant to provisions of Charter Section 7.203, for fiscal year 1988-89; and providing for ratification of action previously taken. (Controller)

File 101-88-81, Ordinance No. 67-89

Finally passed by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Alioto, Hongisto, Ward - 3.

[Government Funding]

Ordinance appropriating \$124,437, Water Department, for permanent salaries-miscellaneous and related mandatory fringe benefits; rescinding \$124,437 from permanent salaries-miscellaneous and related mandatory fringe benefits to reclassify eight positions. (Controller)

File 101-88-82, Ordinance No. 68-89

Finally passed by the following vote:

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Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 8.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Alioto, Hongisto - 2.

Finally Passed

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1988-89, Water Department, reflecting the establishment of two new classifications and the reclassification of eight (8) existing positions to the new classifications; companion measure to File 101-88-82. (Civil Service Commission)

File 102-88-22, Ordinance No. 69-89

Finally passed by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Alioto, Hongisto - 2.

Recommendation of Governmental Operations Committee

Adopted

[Bail Increase for Parking Prohibition]

Resolution urging Municipal Court to increase the bail for violation of California Vehicle Code Section 22522 to \$50.00 (prohibits any vehicle from parking within three feet of any sidewalk access ramp). (Supervisors Kennedy, Gonzalez, Hsieh, Alioto)

File 334-88-3, Resolution No. 178-89

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Alioto, Hongisto - 2.

Recommendations of Land Use Committee

Passed for Second Reading as Amended

[Zoning Map Amendment - Van Ness Avenue]

Ordinance adopting changes in property use and height and bulk classification by amending the Zoning Map of the City and County for the area in the vicinity of Van Ness Avenue between Elm Street and Turk Street to reclassify property therein from NC-3 to RC-4 and to

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reclassify height and bulk districts from 130-E to 130-V and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning)

File 36-89-1. Ordinance No.

(The Board adopted Resolution No. 932-88, adopting Final Environmental Impact Report on December 5, 1988.)

Supervisor Nelder, seconded by Supervisor Maher, moved to amend title and body of legislation to reflect adoption of findings pursuant to City Planning Code Section 101.1.

Motion to amend adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Alioto, Hongisto - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Alioto, Hongisto - 2.

[Van Ness Avenue Rezoning and Planning Controls]
Ordinance amending City Planning Code to modify the Van Ness Special Use District and impose restrictions on property within that district, including restrictions on the use of property and the use of signs and adopting findings pursuant to City Planning Code Section 101.1. (Supervisors Ward, Britt, Nelder, Gonzalez, and Hsieh)

File 115-88-8.1. Ordinance No.

(Amends Sections 181, 243 and 607.3.)

(Approved by City Planning Commission Resolution No. 11587. The proposed amendments will cause no substantial change in the environmental impacts of the Van Ness Avenue Plan and rezoning discussed in the EIR adopted by Board of Supervisors Resolution No. 932-88 on 12/5/88; see City Planning Commission Resolution No. 11240.)

Supervisor Nelder, seconded by Supervisor Kennedy, moved to amend title and body of legislation to reflect adoption of findings pursuant to City Planning Code Section 101.1.

Motion to amend adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Alioto, Hongisto - 2.

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Passed for second reading as amended by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Alioto, Hongisto - 2.

Recommendation of Public Works Committee

Refused Adoption; Rescinded;
Consideration Continued as Divided

[Global Reforestation Effort]

Resolution ((urging the Mayor to declare Saturday, April 29, 1989, to be San Francisco Reforestation Day; and)) establishing as City policy that 1,000,000 trees be planted in the City and County by the year 2000; urging the Mayor to create a San Francisco Reforestation Task Force to examine ways in which this goal and the long-term maintenance of these trees can be achieved, including such things as a voluntary one dollar property assessment or twenty-five cent addition to adult, non-subsidized entry to such entertainment programs as movies, concerts and sporting events. (Supervisors Nelder, Kennedy)

File 169-89-1, Resolution No.

Refused adoption by the following vote:

Ayes: Supervisors Hsieh, Kennedy, Nelder, Walker, Ward - 5.

Noes: Supervisors Britt, Gonzalez, Hallinan, Maher - 4.

Absent: Supervisors Alioto, Hongisto - 2.

Supervisor Gonzalez, seconded by Supervisor Maher, moved to rescind the previous vote.

No objection and motion carried.

At the request of Supervisor Kennedy, the question was divided with respect to urging the Mayor to declare Saturday, April 29, 1989, to be San Francisco Reforestation Day.

Supervisor Gonzalez, seconded by Supervisor Nelder, moved to continue the main resolution, as divided, and the motion to continue was adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Alioto, Hongisto - 2.

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Adopted

[San Francisco Reforestation Day]

Resolution urging the Mayor to declare Saturday, April 29, 1989, to be San Francisco Reforestation Day.

File 169-89-1.1. Resolution No. 187-89

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Alioto, Hongisto - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$508,645. Chief Administrative Officer-Animal Control, for temporary salaries and related mandatory fringe benefits, other contractual services, other services, telephone, materials and supplies and equipment, reflecting the addition of four existing classifications and seven new classifications; for fiscal year 1988-89. (Controller)

File 101-88-83. Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 8.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Alioto, Hongisto - 2.

[Public Employment]

Ordinance amending Ordinance No. 269-88 (Annual Salary Ordinance, 1988/89) reflecting the addition of four existing classifications and seven new classifications in the Office of the Chief Administrative Officer; companion measure to File 101-88-83. (Supervisor Walker)

File 102-88-34. Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 8.

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Noes: Supervisor Nelder - 1.

Absent: Supervisors Alioto, Hongisto - 2.

[Government Funding]

Ordinance appropriating \$500,000, Parking Authority, for program project budget (Polk-Bush Garage) for fiscal year 1988-89; placing \$350,000 on reserve. (Controller)

File 101-88-84, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Alioto, Hongisto - 2.

[Government Funding]

Ordinance appropriating \$2,300, Airport, for permanent salaries-miscellaneous and related mandatory fringe benefits for a salary range adjustment for one position, Airport Property Specialist III, for fiscal year 1988-89. (Controller)

File 101-88-90, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Alioto, Hongisto - 2.

[Public Employment]

Ordinance amending Annual Salary Ordinance No. 269-88, 1988-89, reflecting a salary range adjustment for one position at the San Francisco International Airport; companion measure to File 101-88-90. (Civil Service Commission)

File 102-88-33, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Alioto, Hongisto - 2.

Recommendations of Governmental Operations Committee

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Passed for Second Reading as Amended

[Recycling Special Events]

Ordinance amending Administrative Code, relating to policies for temporary use or occupancy of public streets, street fairs and athletic events to include requirements for recycling of beverage containers and other recyclable materials and relating to the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT). (Supervisors Gonzalez, Hsieh)

File 97-88-65, Ordinance No.

(Adds Section 2.70-5 and amends Section 2.70.)

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to amend page three, line 26 by deleting the sentence, "The Director of Public Works and the Chief Administrative Officer shall administer rules and regulations to promulgate the provisions of this section." and amend page three, line four by adding the following: "The Chief Administrative Officer shall promulgate any rules and regulations necessary or appropriate to carry out the purposes and requirements of this ordinance. Before issuing or amending any rules or regulations, the Chief Administrative Officer shall provide a 30 day public comment period by providing published notice in an official newspaper of general circulation in the City of the intent to issue or amend the regulations."

Motion to amend adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Alioto, Hongisto - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Alioto, Hongisto - 2.

Adopted

[Map Approval]

Resolution approving map showing the extension of Le Conte Avenue southeasterly of Jennings Street; declaring Le Conte Avenue to be an open public street dedicated to public use, and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 35-88-3, Resolution No. 182-89

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 7.

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Absent: Supervisors Alioto, Hongisto, Maher, Nelder - 4.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Davis McGovern.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-11, Resolution No. 179-89

(Angela Alioto, member, Board of Supervisors, March 10 - 18; Henry E. Berman, member, Fire Commission, March 23 - 31; Mary E. Burns, General Manager, Recreation & Park, March 19 - 28; Gordon Chin, member, Public Utilities Commission, April 9 - 14; Arthur H. Coleman, M.D., member, Port Commission, March 16 - 20 and 24 - 28; Kenneth E. Dowlin, City Librarian, Public Library, March 25 - 31 and April 5 - 6, and 8 - 10; Robert H. Feldman, Executive Director, Board of Permit Appeals, March 10 - 13; Clare M. Murphy, General Manager, Retirement System, April 26 - 28; Patrick A. Murphy, member, Airports Commission, March 7 - 11; Richard Sanchez, M.D., member, Health Commission, May 2 - 31; Gladys Sandlin, member, Commission on the Status of Women, March 2 - 10; Darshan Singh, member, Parking Authority, March 3 - 6; Donald R. Stephens, member, Airports Commission, March 23 - 31; L.A. Turpen, Director of Airports, March 22 - 30; William E. Villa, member, Rent Stabilization Board, March 8 - April 9, 1989.)

Adopted.

[Women's Right to Choose Day]

Resolution affirming a woman's right to reproductive choice and urging the Mayor to declare April 2, 1989, "A Woman's Right to Choose Day" in San Francisco. (Supervisor Walker)

File 4-89-8, Resolution No. 181-89

Adopted.

[Salvadoran and Guatemalan Refugees]

Resolution calling for the granting of extended voluntary departure status by the Attorney General of the United States of Salvadoran and Guatemalan refugees as bona fide political refugees who shall

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not be deported from the United States until such time as they can safely return to their homeland; and passage by Congress of House Resolution 45 and a matching bill to be submitted to the Senate in late March 1989 which would grant a two-year stay of deportations of Salvadoran refugees living in the United State while the General Accounting Office of Congress studies the human rights violations against deportees from the United States to these countries. (Supervisors Walker, Gonzalez, Britt, Hallinan)

File 13-89-4, Resolution No. 188-89

Adopted.

[Street Closing]

Resolution authorizing temporary street closing of portions of Polk, Grove, McAllister and Larkin Streets, on Saturday and Sunday, April 1 and 2, 1989, at various times, for the "Women's Equality/Women's Lives" parade and demonstration, subject to certain conditions; waiving the requirement that sponsor provide insurance. (Supervisor Walker)

File 42-89-7, Resolution No. 183-89

(Polk Street, between Grove and McAllister Streets, from 6:00 p.m., Saturday, April 1, 1989, to 5:00 p.m., Sunday, April 2, 1989;

Grove Street, between Larkin and Polk Streets, on Sunday, April 2, 1989, from 8:00 a.m. to 5:00 p.m.;

McAllister Street, southernmost lane (parking lane), between Larkin and Polk Streets, on Sunday, April 2, 1989, from 8:00 a.m. to 5:00 p.m.;

Larkin Street, between Grove and McAllister Streets, on Sunday, April 2, 1989, from 8:00 a.m. to 5:00 p.m., provided that a through lane of at least fourteen feet wide on the east side of Larkin Street shall be maintained.)

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Walker - 6.

Absent: Supervisors Alioto, Hongisto, Maher, Nelder, Ward - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Monday, March 13, 1989

Referred to Committee

[Minority, Women and Local Business Enterprises]
Draft ordinance amending Administrative Code by amending Chapter 12D, relating to the procurement of goods and services and the award of public contracts, leases, franchises and concessions by the City and County from minority business enterprises, women business enterprises and local businesses. (Supervisors Kennedy, Ward, Maher, presented.) Referred to Governmental Operations Committee with request it be considered at the March 20, 1989 meeting.

File 284-88-2

[Disclosure of Improper Government Activities]
Ordinance amending Administrative Code by adding Sections 16.400 to 16.404, establishing improper government activities unit and protecting employees who disclose improper government activities. (Supervisors Kennedy and Ward presented on behalf of the Mayor.) Referred to Governmental Operations Committee.

File 97-89-6

[Ballot Measure]
Ordinance providing that contributions to candidates for public office of the City and County shall be governed exclusively by State law, repealing Article XII of the San Francisco Administrative Code (San Francisco Municipal Election Campaign Contribution Control Ordinance) and amending Proposition F, adopted by San Francisco voters on June 3, 1986, by repealing Section 5, relating to limits on campaign contributions. (Supervisor Nelder presented.) Referred to Rules Committee.

File 97-89-8

Adopted

[A. Philip Randolph Day]
Resolution commemorating A. Philip Randolph Day on his centennial birthday celebration on April 15, 1989.

File 4-89-5.1

Supervisor Kennedy presented for immediate adoption.

Supervisor Kennedy, seconded by Supervisor Hsieh, moved that the need to take action arose subsequent to the publication of the calendar.

No objection and motion carried.

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Alioto, Hongisto - 2.

Monday, March 13, 1989

Requests for Hearings

File 97-89-7. By Supervisor Gonzalez: To consider developing and establishing criteria, guidelines and requirements concerning the organizing and staging of athletic events in the City. Referred to Public Works Committee.

File 100-88-8.9. By Supervisor Walker: To consider release of \$167,000. Airport, overtime funds. Referred to Finance Committee.

File 101-88-64.1. By Supervisor Walker: To consider release of \$131,000. Chief Administrative Officer, in order to proceed with construction of animal shelter at City Warehouse on 15th and Harrison Streets on schedule. Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ward, that City Attorney draft appropriate legislation which would establish recycling programs for recyclable materials at the Housing Authority's various sites.

By Supervisor Ward, that letters of inquiry be sent to Fire Chief and Director of Public Works requesting report on number, frequency and final results of their investigations over the past 18 months of buildings, especially commercial and multi-residential structures, where owners have been cited for blocking or failing to establish secondary exits.

By Supervisor Ward, that letter be sent to Juvenile Justice Commission requesting review of the following problems at the Youth Guidance Center: alternatives of confinement; i.e., halfway houses, community services, etc.; alternatives to confinement at the existing facility; analysis and summary of the length of confinements and class or category of offenses; improvement in pre-sentence investigations; restructuring of coordination between Youth Guidance Center counseling staff and other City departments which work with youth (Department of Social Services, Recreation and Park Department and the Delinquency Prevention Commission); alternative approaches for in-house punishments; review of food menus (elimination of sugar, junk food); status review on current conditions and the Jefferson Report and increased staffing needs and services.

By Supervisor Gonzalez, that City Attorney draft appropriate legislation which would establish criteria, guidelines and requirements concerning the organizing and staging of athletic events in the City.

By Supervisor Nelder, that City Attorney draft appropriate legislation mandating authority to the Mayor and individual members of the Board of Supervisors for the use of the City Hall Rotunda and the Board of Supervisors Chambers; allowing such usage by each eligible party to no more than two times per calendar year for each facility, free of rental fees excepting those costs necessary to

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guarantee proper event security and subsequent janitorial services and providing the Clerk of the Board of Supervisors shall be responsible for creation of facility reservation guidelines, processing the reservations and maintenance of facility usage records.

By Supervisor Nelder, that the Clerk of the Board of Supervisors provide listing of fees charged for rental of the following City facilities for use for parties, commercial ventures, filming of motion pictures, private meetings or other functions: City Hall Rotunda, Board of Supervisors Chambers, Mayor's front office area, other City owned and operated facilities made available for such activities and listing of the provisions and requirements applicable to such usage.

By Supervisor Walker, that letter of inquiry be sent to Presiding Judge, Municipal Court, to determine the usual practices of the Municipal Court with regard to having misdemeanants present in court for sentencing.

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Raymond R. Hongisto (Supervisor Ward on behalf of the Board)
Wayne Sherwood (Supervisor Britt)
Joe Pecard (Supervisor Britt)
Reba Dearmore (Supervisor Maher)

File 2-89-11

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:27 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, March 13, 1989

Approved by the Board of Supervisors on July 3, 1989

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, March 30, 1986

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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No. 12

Monday, March 20, 1989

Journal of Proceedings Board of Supervisors

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 20, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Walker, Ward - 7.

Noted absent at first roll call:

Supervisors Gonzalez, Hongisto, Maher, Nelder - 4.

Quorum present.

Supervisor Gonzalez was noted present at 2:05 p.m.

Supervisor Hongisto was noted present at 2:05 p.m.

Supervisor Maher was noted present at 2:07 p.m.

Supervisor Nelder was noted present at 2:06 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Walker, seconded by Supervisor Kennedy, moved that the Journal of Proceedings for Monday, September 26, 1988, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker, Ward - 10.

Absent: Supervisor Maher - 1.

Presentation of Guests

Monday, March 20, 1989

Supervisor Gonzalez introduced and welcomed the Honorable Willie L. Brown, Jr., Speaker of the California State Assembly.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$500,000, Parking Authority, for program project budget (Polk-Bush Garage) for fiscal year 1988-89; placing \$350,000 on reserve. (Controller)

File 101-88-84, Ordinance No. 78-89

Finally passed.

[Government Funding]

Ordinance appropriating \$22,000, Police Department, for communications equipment; rescinding \$22,000 from permanent salaries-uniform for fiscal year 1988-89. (Controller)

File 101-88-85, Ordinance No. 77-89

Finally passed.

[Government Funding]

Ordinance appropriating \$125,634, Public Library, for mandatory fringe benefits for fiscal year 1988-89. (Controller)

File 101-88-86, Ordinance No. 76-89

Finally passed.

[Government Funding]

Ordinance appropriating \$2,300, Airport, for permanent salaries-miscellaneous and related mandatory fringe benefits for a salary range adjustment for one position, Airport Property Specialist III, for fiscal year 1988-89. (Controller)

File 101-88-90, Ordinance No. 75-89

Finally passed.

Monday, March 20, 1989

[Public Employment]

Ordinance amending Annual Salary Ordinance No. 269-88, 1988-89, reflecting a salary range adjustment for one position at the San Francisco International Airport; companion measure to File 101-88-90. (Civil Service Commission)

File 102-88-33. Ordinance No. 74-89

Finally passed.

[Transfer of Property]

Ordinance authorizing the transfer of 6.54 acres of Water Department land situated in San Mateo County to the City of Daly City. (Real Estate Department)

File 183-89-2. Ordinance No. 80-89

Finally passed.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$87,131, Police Department, for program project budget (enforcement). (Controller)

File 101-88-87. Ordinance No.

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Wilbert Batiste vs. City and County, by payment of \$100,000, plus 10 percent interest from February 22, 1989 to date of payment. (City Attorney)

File 45-89-11. Ordinance No.

(Court Appeal No. A036107 and Superior Court No. 800-582.)

Passed for second reading.

Recommendations of Governmental Operations Committee

Adopted

[Parking of Vehicles]

Resolution extending boundaries of Residential Permit Parking Area "H" in the Lakeside area and adding Beverly Street, between Shields and Garfield Streets, both sides to the list of streets upon which time limitations shall apply. (Department of Public Works)

File 40-89-4. Resolution No. 193-89

Monday, March 20, 1989

Adopted.

[Lease of Property]

Resolution authorizing lease of real property at 25 Van Ness Avenue for use by the Department of Public Health, AIDS Program for Office space, interview, medical examination, computer and conference rooms. (Department of Public Health)

File 64-89-6, Resolution No. 194-89

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker, Ward - 10.

Absent: Supervisor Maher - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Passed for Second Reading as Amended

[Government Funding]

Ordinance appropriating \$189,345, County Clerk, for permanent salaries-miscellaneous and related mandatory fringe benefits and facilities maintenance projects for the creation of 17 positions and the deletion of fourteen positions((; subject of previous budgetary denial)). (Controller)

File 101-88-76, Ordinance No.

Supervisor Maher, seconded by Supervisor Hongisto, moved to amend title, line five and page two, line 17, Section 3, by deleting reference to "subject of previous budgetary denial".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder, Ward - 9.

Noes: Supervisors Hallinan, Walker - 2.

Passed for second reading as amended by the following vote:

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Ayes: Supervisors Alioto, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder, Ward - 8.

Noes: Supervisors Britt, Hallinan, Walker - 3.

Passed for Second Reading

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1988-89, Office of the County Clerk, reflecting the reclassification of fourteen positions and the addition of three positions; companion measure to File 101-88-76. (Civil Service Commission)

File 102-88-31. Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder, Ward - 8.

Noes: Supervisors Britt, Hallinan, Walker - 3.

[Government Funding]

Ordinance appropriating \$1,014,933, Superior Court, for permanent salaries-miscellaneous and related mandatory fringe benefits, fees and other compensation, other contractual services, use of employee cars, travel, materials and supplies, equipment, data/word processing equipment, services of other departments-Police, Social Services, CAO insurance and risk reduction-facilities maintenance projects and capital improvement projects for the creation of six positions and deletion of one position for fiscal year 1988-89. (Controller)

File 101-88-77. Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder, Ward - 8.

Noes: Supervisors Britt, Hallinan, Walker - 3.

Passed for Second Reading as Amended

[Government Funding]

Ordinance appropriating \$1,200,000, Municipal Court, for permanent salaries and related mandatory fringe benefits, professional services, data/word processing professional service contracts, training, materials and supplies and equipment lease/purchase for the creation of three Deputy Clerk positions and a salary range adjustment for three Traffic Referee positions and appropriating \$5,372,000 for the general reserve for fiscal year 1988-89. (Controller)

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File 101-88-78, Ordinance No.

Supervisor Maher, seconded by Supervisor Hongisto, moved an amendment of the whole entitled, "Ordinance appropriating \$1,200,000, Municipal Court, for permanent salaries and related mandatory fringe benefits, professional services, data/word processing professional service contracts, training, materials and supplies and equipment lease/purchase for the creation of three Deputy Clerk positions and a salary range adjustment for three Traffic Referee positions and appropriating \$5,372,000 for the general reserve for fiscal year 1988-89."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder, Ward - 8.

Noes: Supervisors Britt, Hallinan, Walker - 3.

Consideration Continued

[Public Employment]

Ordinance amending Ordinance No. 269-88 (Annual Salary Ordinance, 1988-89) reflecting the addition of six (6) positions and the deletion of one position in the Superior Court and addition of three positions and a salary range adjustment for three positions in the Municipal Court; companion measure to Files 101-88-77 and 101-88-78. (Civil Service Commission)

File 102-88-29, Ordinance No.

Supervisor Maher, seconded by Supervisor Hongisto, moved to continue consideration to March 27, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Finally Passed

[Government Funding]

Ordinance appropriating \$508,645, Chief Administrative Officer-Animal Control, for temporary salaries and related mandatory fringe benefits, other contractual services, other services, telephone, materials and supplies and equipment, reflecting the addition of four existing classifications and seven new classifications; for fiscal year 1988-89. (Controller)

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File 101-88-83, Ordinance No. 70 89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Noes: Supervisor Nelder - 1.

[Public Employment]

Ordinance amending Ordinance No. 269-88 (Annual Salary Ordinance, 1988/89) reflecting the addition of four existing classifications and seven new classifications in the Office of the Chief Administrative Officer; companion measure to File 101-88-83. (Supervisor Walker)

File 102-88-34, Ordinance No. 71-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Noes: Supervisor Nelder - 1.

Recommendation of Governmental Operations Committee

Finally Passed

[Recycling - Special Events]

Ordinance amending Administrative Code, relating to policies for temporary use or occupancy of public streets, street fairs and athletic events to include requirements for recycling of beverage containers and other recyclable materials and relating to the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT). (Supervisors Gonzalez, Hsieh, Kennedy)

File 97-88-65, Ordinance No. 73-89

(Adds Section 2.70-5 and amends Section 2.70.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Recommendations of Land Use Committee

Finally Passed

Monday, March 20, 1989

[Zoning Map Amendment - Van Ness Avenue]

Ordinance adopting changes in property use and height and bulk classification by amending the Zoning Map of the City and County for the area in the vicinity of Van Ness Avenue between Elm Street and Turk Street to reclassify property therein from NC-3 to RC-4 and to reclassify height and bulk districts from 130-E to 130-V; and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning)

File 36-89-1. Ordinance No. 72-89

(The Board adopted Resolution No. 932-88, adopting Final Environmental Impact Report on December 5, 1988.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

[Van Ness Avenue Rezoning and Planning Controls]

Ordinance amending City Planning Code to modify the Van Ness Special Use District and impose restrictions on property within that district, including restrictions on the use of property and the use of signs; and adopting findings pursuant to City Planning Code Section 101.1. (Supervisors Ward, Britt, Nelder, Gonzalez, Hsieh)

File 115-88-8.1. Ordinance No. 79-89

(Amends Sections 181, 243 and 607.3.)

(Approved by City Planning Commission Resolution No. 11587. The proposed amendments will cause no substantial change in the environmental impacts of the Van Ness Avenue Plan and rezoning discussed in the EIR adopted by Board of Supervisors Resolution No. 932-88 on 12/5/88; see City Planning Commission Resolution No. 11240.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Recommendation of Public Works Committee

Adopted as Amended

[Global Reforestation Effort]

Resolution establishing as City policy that 1,000,000 trees be planted in the City and County by the year 2000; urging the Mayor to create a San Francisco Reforestation Task Force to examine ways in which this goal and the long-term maintenance of these trees can be achieved, including such things as a voluntary one dollar property

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assessment or twenty-five cent addition to adult, non-subsidized entry to such entertainment programs as movies, concerts and sporting events. (Supervisors Nelder, Kennedy)

File 169-89-1. Resolution No. 207-89

Supervisor Kennedy, seconded by Supervisor Nelder, moved to amend line 25 by adding "it shall be a goal of the City to save native plants and other shrubbery life from harm;" after "2000;".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$230,000, Department of Social Services, for professional services; rescinding \$230,000 from permanent salaries, for fiscal year 1988-89; placing \$230,000 on reserve. (Controller)

File 101-88-79, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Government Funding]

Ordinance appropriating \$3,900, Board of Supervisors - Assessment Appeals Board, for fees and other compensation; rescinding \$3,900 from permanent salaries, for fiscal year 1988-89. (Controller)

File 101-88-88, Ordinance No.

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Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Government Funding]

Ordinance appropriating \$633,577, Public Library, for various capital improvements (1988 Public Library Facilities System Improvement Bonds) and for the creation of two positions, for fiscal year 1988-89; placing \$325,000 on reserve. (Controller)

File 101-88-91, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1988/89, Public Library, reflecting the addition of two positions; companion measure to File 101-88-91. (Civil Service Commission)

File 102-88-35, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Recommendations of Human Services Committee

Passed for Second Reading

[Alcohol Consumption Warnings]

Ordinance amending Health Code, providing for point of retail sale warnings for alcohol, by allowing smaller warning signs for "mini-bars". (Supervisor Hsieh)

File 118-89-1, Ordinance No.

(Amends Section 265.2.)

Passed for second reading by the following vote:

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Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[MacBride Principles - Northern Ireland]

Ordinance amending Administrative Code, implementing the policy of the City and County in support of and in furtherance of the MacBride Principles, which are aimed at reducing employment discrimination in companies doing business in Northern Ireland. (Supervisors Britt, Hallinan)

File 169-88-3, Ordinance No.

(Adds Chapter 12F.)

Supervisor Kennedy, seconded by Supervisor Nelder, moved to amend page seven, line five by deleting entire Section 12F.6.

Motion to amend failed adoption by the following vote:

Ayes: Supervisor Kennedy - 1.

Noes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

The roll was then called on the pending ordinance and it was passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Nelder, Walker, Ward - 9.

Noes: Supervisors Hsieh, Maher - 2.

Adopted

[State Legislation]

Resolution urging the California State Legislature to support AB 8 (Floyd) to modify the existing State Vehicle Code to require all California motorcyclists to wear approved safety helmets. (Supervisors Hongisto, Alioto, Gonzalez)

File 12-89-2, Resolution No. 192-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

[Year of the Young Reader]

Resolution designating 1989 as The Year of the Young Reader in San Francisco. (Public Library)

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File 192-89-1, Resolution No. 225-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Recommendations of Governmental Operations Committee

Adopted

[Vacation of Public Sewer Easement]
Resolution declaring intention of Board of Supervisors to vacate a portion of a public sewer easement north of Winston Drive and setting April 24, 1989 as date of hearing for all persons interested in the proposed vacation. (Department of Public Works)

File 82-88-11, Resolution No. 195-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Consideration Continued

(Supervisor Hsieh dissenting in Committee.)

[Public Works Contracts]
Ordinance amending Administrative Code, providing that City Departments shall reject the bids of prime contractors when they or their subcontractors are not signatories to a recognized apprenticeship program or cannot gain access to the necessary equipment or do not possess the necessary experience or financial qualifications to perform the contract. (Supervisor Nelder)

File 97-88-29.1, Ordinance No.

(Amends Section 6.47.)

Supervisor Kennedy, seconded by Supervisor Maher, moved to rerefer to Committee.

Supervisor Gonzalez, seconded by Supervisor Alioto, moved to continue consideration to April 17, 1989.

After a period of debate Supervisor Hongisto, seconded by Supervisor Hsieh, moved to table.

Motion to table failed adoption by the following vote:

Ayes: Supervisors Hongisto, Hsieh, Kennedy, Maher, Ward - 5.

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Noes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Nelder, Walker - 6.

The roll was then called on the pending motion to continue consideration to April 17, 1989 and it was adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Nelder, Walker, Ward - 7.

Noes: Supervisors Hongisto, Hsieh, Kennedy, Maher - 4.

Called Out of Governmental Operations Committee
By Supervisors Kennedy and Hsieh

Consideration Continued

[Public Works Contracts]

Ordinance amending Administrative Code, providing that City Departments may reject the bids of prime contractors when they or their subcontractors are not signatories to a recognized apprenticeship program or do not contribute funds to the California Apprenticeship Council or do not possess the necessary experience and financial qualifications or do not possess or cannot obtain the necessary equipment and permits to perform the contract; small business exemption to apprenticeship requirement. (Supervisors Kennedy, Maher)

File 97-88-29, Ordinance No.

(Amends Section 6.47.)

Supervisor Kennedy, seconded by Supervisor Maher, moved to rerefer to Committee.

Supervisor Gonzalez, seconded by Supervisor Alioto, moved to continue consideration to April 17, 1989.

After a brief period of debate, Supervisor Hongisto, seconded by Supervisor Hsieh, moved to table.

Motion to table failed adoption by the following vote:

Ayes: Supervisors Alioto, Hongisto, Nelder, Ward - 4.

Noes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker - 7.

Thereupon, the roll was called on the pending motion to continue consideration to April 17, 1989 and it was adopted by the following vote:

Monday, March 20, 1989

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Maher, Walker, Ward - 7.

Noes: Supervisors Hongisto, Hsieh, Kennedy, Nelder - 4.

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the Adult Day Health Care Planning Council. (Rules Committee)

File 92-87-43, Resolution No. 203-89

(Merle Espaldon, vice Ettle Francis, area agency on aging, term expired, for three-year term ending September 30, 1989.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Absent: Supervisors Nelder, Ward - 2.

[Appointment]

Resolution appointing alternate member to the Assessment Appeals Board. (Rules Committee)

File 92-88-26, Resolution No. 200-89

(Blayne L. Asher, vice Thomas Hayes, term expired, for three-year term ending September 1, 1991.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Absent: Supervisors Nelder, Ward - 2.

(Supervisor Kennedy dissenting in Committee.)

[Appointment]

Resolution appointing member to the Drug Abuse Advisory Board. (Rules Committee)

File 92-88-34, Resolution No. 201-89

(Jeanie Munich, vice Richard Bodisco, public member, term expired, for three-year term ending October 1, 1991.)

Adopted by the following vote:

Monday, March 20, 1989

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Walker - 8.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Nelder, Ward - 2.

[Appointment]

Resolution appointing member to the Ballot Simplification Committee. (Rules Committee)

File 92-88-36, Resolution No. 202-89

(Nicholas DeLuca, Association of Broadcast Editorial Directors, vice Herb Levy, term expired, for two-year term ending November 30, 1990.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Absent: Supervisors Nelder, Ward - 2.

[Appointment]

Resolution appointing member to the Delinquency Prevention Commission. (Rules Committee)

File 92-88-45.2, Resolution No. 204-89

(Dianne Flannery, vice Oscar Herrera, term expired, for a four-year term ending December 31, 1992.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Absent: Supervisors Nelder, Ward - 2.

[Appointment]

Resolution appointing member to the Mental Health Advisory Board. (Rules Committee)

File 92-88-47, Resolution No. 205-89

(Emily Cutler, consumer/public interest, vice Nancy May for three-year term ending January 31, 1992.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

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Absent: Supervisors Nelder, Ward - 2.

[Appointments]

Resolution appointing members to the City-Wide Alcoholism Advisory Board. (Rules Committee)

File 92-88-56, Resolution No. 206-89

(Gonzalo Gonzalez, vice Dr. Edward Morales, resigned, for unexpired portion of three year term ending July 1, 1990;

Mark Steinbrink, vice Dr. Kim Nelson, resigned, for unexpired portion of three-year term ending July 1, 1991.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Absent: Supervisors Nelder, Ward - 2.

[Appointment]

Resolution appointing member to the Planning Design Advisory Committee. (Rules Committee)

File 92-89-1, Resolution No. 196-89

(Douglas Shorenstein, representative from development, vice Bill Poland, resigned, for the unexpired portion of the term ending June 30, 1989.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Absent: Supervisors Nelder, Ward - 2.

[Appointment]

Resolution appointing member to the Animal Control and Welfare Commission. (Rules Committee)

File 92-89-4, Resolution No. 197-89

(Walter J. O'Donnell, representing the general public, vice Carl Friedman, resigned, for the unexpired portion of the term ending April 30, 1989.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Absent: Supervisors Nelder, Ward - 2.

Monday, March 20, 1989

[Appointment]

Resolution appointing member to the City-Wide Alcoholism Advisory Board. (Rules Committee)

File 92-89-6. Resolution No. 198-89

(Mark M. Young, vice Celina Pagani-Tousignant, resigned, for unexpired portion of a three-year term ending July 1, 1989.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Absent: Supervisors Nelder, Ward - 2.

[Appointments]

Resolution appointing members to the Animal Control and Welfare Commission, terms expired, for two-year terms ending April 30, 1991. (Rules Committee)

File 92-89-8. Resolution No. 199-89

(Stanley Mahy, general public, vice himself, term expired; Virginia Handley, general public, vice herself, term expired; Walter J. O'Donnell, general public, vice himself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Absent: Supervisors Nelder, Ward - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Held; Consideration Continued

[Public Hearing]

Hearing of persons interested in or objecting to the City Planning Commission by its Motion No. 11584, dated January 26, 1989, approving Conditional Use Application No. 88.764C, authorizing a group housing facility (Work Furlough Program for California Department of Corrections), for up to 50 people in an M-2 (Heavy Industrial) District of property located at 1234 Indiana Street.

File 37-89-2

(Appeal filed February 20, 1989.)

(Environmental Review Categorically exempt.)

The following persons were sworn in and granted privilege of the floor:

Monday, March 20, 1989

Appellants:

Robert G. Delamore, 1116 Tennessee Street;
Elaina Meyers, 1060 Mississippi Street;
Frank Claus, 437 Pennsylvania Avenue;
Babette Drefke, Potrero Hill resident;
George Lawson, 22nd and Mississippi Street;
Rev. J. A. Stricklin, 800 22nd Street.

Respondents:

Alice Barkley, 220 Montgomery Street, representing project sponsor;
Jim Herman, 635 Connecticut Street;
Dr. Eddie C. Welbon, Bayview Hunters Point Homeowners and Residential Community Development Council;
Gerald Lepatore, 1914 21st Street.

The President inquired if there was anyone else present who wished to testify and cannot return in two weeks. There being no response the President declared the hearing closed.

Supervisor Walker, seconded by Supervisor Nelder, moved to continue consideration to April 3, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

From the Clerk

Consideration Continued

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 11584, dated January 26, 1989, approving Application No. 88.764C, for conditional use authorization of property at 1234 Indiana Street; and adopting findings pursuant to City Planning Code Section 101.1.

File 37-89-2.1

Supervisor Walker, seconded by Supervisor Nelder, moved to continue consideration to April 3, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Monday, March 20, 1989

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 11584, dated January 26, 1989, approving Application No. 88.764C, for conditional use authorization of property at 1234 Indiana Street.

File 37-89-2.2

Supervisor Walker, seconded by Supervisor Nelder, moved to continue consideration to April 3, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed conditional use authorization of property at 1234 Indiana Street, for action by the Board at its next meeting.

File 37-89-2.3

Supervisor Walker, seconded by Supervisor Nelder, moved to continue consideration to April 3, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

REPORTS OF COMMITTEE

Without Recommendation
From Governmental Operations Committee

Consideration Continued

[Salary Standardization Ordinance]

Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County, San Francisco Community College District and San Francisco Unified School District whose compensations are subject to provisions of Sections 8.400, 8.401 and 8.407 of the Charter; effective July 1, 1989. (Civil Service Commission)

File 106-89-1. Ordinance No.

Monday, March 20, 1989

The Clerk announced subject legislation comes without administrative provisions and any reference to pay equity from Governmental Operations Committee without recommendation. The Employee Relations Division of the Mayor's Office indicated negotiations have not been concluded and requested matter be continued.

Supervisor Walker, seconded by Supervisor Alioto, moved to continue consideration to April 3, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker - 8.

Absent: Supervisors Hongisto, Nelder, Ward - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Leroy Brown.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-12, Resolution No. 189-89

(Philip Armour, member, Commission on the Aging, March 24-April 1; Buck Bagot, member, Redevelopment Agency, March 18-27; Willie B. Kennedy, member, Board of Supervisors, March 31-April 2; Jeffrey K. Mori, member, Recreation & Park, March 14-16; Jose O. Olmedo, member, Commission on the Aging, March 18-31; Mrs. Charlotte Mailliard Swig, member, War Memorial Board of Trustees, March 8-12 and 16-27; Betty Lou Treguboff, member, Commission on the Aging, March 10-13, 1989.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 8.

Absent: Supervisors Hongisto, Maher, Nelder - 3.

Monday, March 20, 1989

Supervisor Walker Excused

The Clerk announced that Supervisor Walker had requested to be excused from attending the March 27, 1989 Board meeting.

Thereupon, Supervisor Kennedy, seconded by Supervisor Alioto, moved to excuse Supervisor Walker from attending the March 27, 1989 Board meeting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 8.

Absent: Supervisors Hongisto, Maher, Nelder - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Government Funding]

Ordinance appropriating \$2,500, Public Library, permanent salaries - craft and rescinding \$2,500 from subscription, for immediate filling of Classification 7335 Senior Stationary Engineer. (Supervisor Walker presented.) Referred to Finance Committee.

File 101-88-98

[Prevailing Wages - Parking Facilities]

Ordinance amending Administrative Code Section 6.36 to provide for payment of prevailing wages to persons performing work or labor in the operation and maintenance of public parking facilities. (Supervisors Gonzalez and Nelder presented.) Referred to Finance Committee.

File 97-89-9

[San Francisco Community Development Week]

Resolution approving the designation of San Francisco Community Development Week to coincide with National Community Development Week scheduled for March 24-31, 1989. (Supervisor Gonzalez presented.) Referred to Human Services Committee.

File 4-89-9

[Deregulation of Radioactive Waste]

Resolution establishing a policy against acceptance of any presently regulated radioactive waste in any landfill, sewage system or other disposal facility operated by the City and County of San Francisco.

Monday, March 20, 1989

(Supervisor Kennedy presented.) Referred to Human Services Committee.

File 13-89-5

Adopted

[Grant - Private]

Resolution authorizing the Office of the Mayor to apply for, accept and expend a grant of \$50,310 from the Koret Foundation for funds to support the Mayor's Interfaith Task Force on the Homeless and the Satellite Homeless Shelter Program.

File 68-89-3, Resolution No. 190-89

Supervisor Walker presented for immediate adoption.

Supervisor Walker, seconded by Supervisor Hallinan, moved that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Absent: Supervisors Nelder, Ward - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 8.

Absent: Supervisors Hongisto, Maher, Nelder - 3.

Adopted

[Grant - Private]

Resolution authorizing the Office of the Mayor to apply for, accept and expend a grant of \$187,521 from Kaiser Permanente of Northern California, Trans America Foundation, Pacific Telesis Foundation and Apple Computer Foundation to support the Mayor's HIV Task Force.

File 68-89-4, Resolution No. 191-89

Supervisor Britt presented for immediate adoption.

Supervisor Walker, seconded by Supervisor Hallinan, moved that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Monday, March 20, 1989

Absent: Supervisors Nelder, Ward - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 8.

Absent: Supervisors Hongisto, Maher, Nelder - 3.

Referred to Board

[Appointment]

Resolution designating Supervisor Angela Alioto as San Francisco's representative on the Outer Continental Shelf (OCS) Board of Control. (Supervisor Britt presented.) Referred to Board March 27, 1989 Immediate Adoption Calendar.

File 92-89-14

Referred to Committee

[Ballot Measure]

Draft charter amendment amending Section 2.100 relating to the salary of members of the Board of Supervisors to provide cost of living increases. (Supervisor Kennedy presented.) Referred to Rules Committee.

File 201-89-1

Requests for Hearings

File 12-89-5, By Supervisor Britt: To consider Assembly Bill 65 relating to AIDS. Referred to Human Services Committee.

File 18-89-7, By Supervisor Kennedy: To consider traffic conditions at 24th Avenue and Moraga Street. Referred to Public Works Committee.

File 83-89-3, By Supervisor Nelder: To consider San Francisco's homeless population with consideration to the vulnerability to the occurrence of death and disease due to causes specific to homelessness, such as exposure to inclement weather and/or unsanitary living conditions. Referred to Human Services Committee.

File 202-89-1, By Supervisor Hongisto: To consider impact of U.S. Supreme Court decision on district elections. Referred to Rules Committee.

File 203-89-1, By Supervisor Kennedy: To consider future of Block 1592 in the Ocean Beach area. Referred to Land Use Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

Monday, March 20, 1989

By Supervisor Gonzalez, that letter be sent to Director of Planning inquiring whether the department is reviewing Lots 49 and 50, Block 1332 for proposed demolition permit (126 27th Avenue) and that neighbors be informed of the development process and hearings to be held.

By Supervisor Gonzalez, that letter of inquiry be sent to General Manager, Municipal Railway concerning service on the 31B Balboa Express bus line to determine what can be done to assure riders that buses will run on a regular and timely basis.

By Supervisor Gonzalez, that letter be sent to Police Chief concerning allegations of illegal solicitation for prostitution at 691 Post Street and inquiring whether an investigation can be done to eliminate this problem.

By Supervisors Gonzalez and Kennedy, that letter be sent to Police Chief concerning increased problem of prostitution and drug trafficking on Octavia, between Haight and Hayes Streets, and inquiring whether 468 Fell Street is a site used for these illegal activities.

By Supervisor Gonzalez, that letter be sent to Director, Human Rights Commission, inquiring whether they are aware of continued discrimination at the Shanti Project and whether remedies are underway.

By Supervisor Gonzalez, that letter be sent to Police Chief requesting investigation concerning increased crime at Koshland Park (between Haight and Page Streets) and inquiring whether plans may be launched to provide more officers in the area day and night.

By Supervisor Hallinan, that letter be sent to Police Chief inviting him to attend the Board meeting on Monday, March 27, 1989 for the purpose of responding to Supervisors' inquiries concerning police involvement relating to the protest demonstration over U.S. policy in El Salvador on Monday, March 20, 1989.

By Supervisor Hsieh, that City Attorney provide opinion whether the one-cent motor vehicle fuel tax, passed by the voters in June 1980 as Proposition L, can be enacted by the Board of Supervisors.

By Supervisor Kennedy, that letter be sent to the Mayor transmitting copy of correspondence from clothing firm in Greece and inquiring whether proposed international business opportunity may be transmitted to appropriate and interested agencies and parties.

By Supervisor Kennedy, that letter of inquiry concerning lack of adequate facilities to handle the volume of air traffic be sent to Airports Commission to determine what plans the Commission have for improving the airport to alleviate this problem and to provide for more than one single runway during periods of inclement weather.

By Supervisor Kennedy, that letter of inquiry be sent to Director of Public Works concerning alleged denial of permit for installation of aluminum sliding to ascertain the results of your investigation into this matter.

Monday, March 20, 1989

By Supervisor Kennedy, that letters be sent to Director of Public Works and Director of Planning requesting list of all contractors, both prime and subcontractors, applying and who have applied for and were granted permits over the last five years.

By Supervisor Kennedy, that letter of inquiry be sent to General Manager, Retirement Board, concerning worker's compensation to determine whether a particular city employee is getting the benefits due her for an injury sustained on the job (contracted HIV virus from needlestick injury).

By Supervisor Kennedy, that letter of inquiry be sent to Chief of Police transmitting copy of correspondence concerning security of towed vehicles by City Tow and allegations that stereo's and anything not bolted down have been stolen to determine what can be done to protect vehicles kept in storage by the towing firm.

By Supervisor Kennedy, that letter of inquiry be sent to Civil Service Commission to determine rationale for changing the benchmark for Classification 7219 Estimator from the "carpenters" to "assistant civil engineer" and whether a new benchmark is in order.

By Supervisor Kennedy, that letter be sent to San Francisco Redevelopment Agency inquiring whether consideration has been given to installing a commemorative plaque at 49 Fourth Street in honor of the men who entered military service at this former induction center site.

By Supervisor Kennedy, that letters be sent to Director of Health and Director of Planning transmitting copy of correspondence from concerned business owner regarding proposal to place a substance abuse treatment center in the area of the 1700 block of Mission Street and inquiring whether the issues expressed in the letter may be considered.

By Supervisor Kennedy, that City Attorney draft appropriate legislation pursuant to Penal Code Section 836.5 which will allow the issuance of citations for leash law violations.

By Supervisor Walker, that letter of inquiry be sent to Director of Health to determine what response the department intends to make to ensure that San Francisco residents who were covered by Maxi-Care Health Plan will be provided with alternative coverage in light of the impending bankruptcy filing by Maxi-Care.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Philip P. Engler (Supervisor Britt on behalf of the entire Board)
Billy L. Newhouse (Supervisor Kennedy)
Stephen D. Bechtel (Supervisors Maher, Hsieh)
Vincent Liu (Supervisor Hsieh)
Jack Olsen (Supervisor Hallinan)

File 2-89-12

Monday, March 20, 1989

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:59 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 10, 1989

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 84

No. 13

Monday, March 27, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 27, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Hallinan, Hsieh, Maher, Ward - 6.

Noted absent at first roll call:

Supervisors Gonzalez, Hongisto, Kennedy, Nelder, Walker - 5.

Quorum present.

Supervisor Gonzalez was noted present at 2:08 p.m.

Supervisor Hongisto was noted present at 2:08 p.m.

Supervisor Kennedy excused from attendance. (See infra.)

Supervisor Nelder was noted present at 2:08 p.m.

Supervisor Walker excused from attendance. (See Journal of Proceedings for Monday, March 20, 1989.)

Supervisor Kennedy Excused

The President announced that Supervisor Kennedy had requested to be excused from attending today's meeting.

Supervisor Hsieh, seconded by Supervisor Ward, moved to excuse Supervisor Kennedy from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 9.

Absent: Supervisors Kennedy, Walker - 2.

Monday, March 27, 1989

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Maher, seconded by Supervisor Ward, moved that the Journals of Proceedings for Monday, October 3, and Tuesday, October 11, 1988, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 9.

Absent: Supervisors Kennedy, Walker - 2.

Presentation of Guests

Supervisor Gonzalez introduced and welcomed the following distinguished visitors from Argentina:

Honorable Carlos Brown, Mayor of San Martin, Province of Buenos Aires;

Honorable Mario Morejon, Mayor of Comodoro Rivadavia, Province of Chubut;

Honorable Felix Pesce, Mayor of Rivadavia, Province of Mendoza;

Honorable Melchor Martino, Mayor of Villa Dolores, Province of Cordoba and

Honorable Alberto Javier Alderete, Mayor of Salta, Province of Salta.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$230,000, Department of Social Services, for professional services; rescinding \$230,000 from permanent salaries, for fiscal year 1988-89; placing \$230,000 on reserve. (Controller)

File 101-88-79, Ordinance No. 82-89

Finally passed.

[Government Funding]

Ordinance appropriating \$87,131, Police Department, for program project budget (enforcement). (Controller)

File 101-88-87, Ordinance No. 83-89

Monday, March 27, 1989

Finally passed.

[Government Funding]

Ordinance appropriating \$3,900. Board of Supervisors - Assessment Appeals Board, for fees and other compensation; rescinding \$3,900 from permanent salaries, for fiscal year 1988-89. (Controller)

File 101-88-88, Ordinance No. 84-89

Finally passed.

[Government Funding]

Ordinance appropriating \$633,577, Public Library, for various capital improvements (1988 Public Library Facilities System Improvement Bonds) and for the creation of two positions, for fiscal year 1988-89; placing \$325,000 on reserve. (Controller)

File 101-88-91, Ordinance No. 85-89

Finally passed.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1988/89, Public Library, reflecting the addition of two positions; companion measure to File 101-88-91. (Civil Service Commission)

File 102-88-35, Ordinance No. 86-89

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Wilbert Batiste vs. City and County, by payment of \$100,000, plus 10 percent interest from February 22, 1989 to date of payment. (City Attorney)

File 45-89-11, Ordinance No. 81-89

(Court Appeal No. A036107 and Superior Court No. 800-582.)

Finally passed.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$58,000, Police Department, for overtime (Police Athletic League Program at Oceanview Playground) and rescinding \$58,000 from Narcotics Forfeiture Fund. (Controller)

File 101-88-93, Ordinance No.

Monday, March 27, 1989

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Patricia H. Holman against the City and County by payment of \$10,000. (City Attorney)

File 45-89-9, Ordinance No.

(Superior Court No. 876-753.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Elvamaría Chamorro vs. City and County, against the City and County by payment of \$7,500. (City Attorney)

File 45-89-10, Ordinance No.

(Superior Court No. 854-047.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Elizabeth Martinez, et al. vs. City and County and Lawrence Engel, et al., vs. City and County by payment of \$40,000. (City Attorney)

File 45-89-12, Ordinance No.

(U.S. District Court No. C87-5169.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Jack P. Cohen vs. Estate of Andrew J. Vanisko, et al., upon receipt of the sum of \$50,000; and authorizing dismissal of said litigation. (City Attorney)

File 46-89-2, Ordinance No.

(Superior Court No. 865-579.)

Passed for second reading.

Monday, March 27, 1989

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of City and County vs. Mary Pasos, et al., upon receipt of the sum of \$12,500; and authorizing dismissal of said litigation. (City Attorney)

File 46-89-3, Ordinance No.

(Superior Court No. 891-433.)

Passed for second reading.

Adopted

[Contract]

Resolution concurring with the Controller's certification that services of the Budget Analyst can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Clerk of the Board)

File 25-89-2, Resolution No. 214-89

Adopted.

[Contract]

Resolution concurring with the Controller's certification that legal process server services can be practically performed for the District Attorney, Family Support Bureau, by a private contractor for a lower cost than similar services performed by City and County employees. (District Attorney)

File 25-89-3, Resolution No. 215-89

Adopted.

[Immediate Filling]

Resolution approving immediate filling of a vacated position of 2986, Director, Human Rights Commission. (Human Rights Commission)

File 31-89-4, Resolution No. 216-89

Adopted.

Recommendation of Human Services Committee

Finally Passed

[Alcohol Consumption Warnings]

Ordinance amending Health Code, providing for point of retail sale warnings for alcohol, by allowing smaller warning signs for "mini-bars". (Supervisor Hsieh)

Monday, March 27, 1989

File 118-89-1, Ordinance No. 87-89

(Amends Section 265.2.)

Finally passed.

Recommendations of Governmental Operations Committee

Adopted

[Lease of Property]

Resolution authorizing two leases of real property at 1212 Market Street for the Health Service System and the Controller's Offices, Information Service Division for office space. (Real Estate Department)

File 64-89-7, Resolution No. 219-89

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to accept and expend an augmentation to a grant subvention in the amount of \$96,279 from the State of California, Department of Alcohol and Drug Programs, as identified in its Revised Final Allocation Summary, Fiscal Year 1988-89, as "ADTR IV Drug Users/AIDS" for Acquired Immune Deficiency Syndrome (A.I.D.S.) and substance abuse prevention and treatment. (Mayor)

File 146-89-12, Resolution No. 221-89

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to accept and expend a grant subvention in the amount of \$424,213 from the State of California, Department of Alcohol and Drug Programs as identified in its Revised Final Allocation Summary, Fiscal Year 1988-89, as "AIDS/IV Drug Users (AB 1903)" for Acquired Immune Deficiency Syndrome (A.I.D.S.) and substance abuse prevention and treatment. (Mayor)

File 146-89-13, Resolution No. 222-89

Adopted.

[Grant - Private Funds]

Resolution authorizing the Department of Public Health, Family Health Bureau, to apply for, accept and expend a grant of \$30,000 from San Francisco Family Health Programs, Inc., for Adolescent Psychosocial Support Services. (Mayor)

Monday, March 27, 1989

File 146-89-14, Resolution No. 223-89

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Public Health Laboratory, to accept and expend a grant of \$985,000 from the National Institutes of Health, Division of Research Resource, for laboratory renovation. (Mayor)

File 146-89-15, Resolution No. 224-89

Adopted.

Recommendation of Public Works Committee

Adopted

[Traffic Regulations]

Resolution enacting traffic regulations, various streets.
(Department of Public Works)

File 20-89-2, Resolution No. 212-89

(Tow-Away No Stopping Anytime - Establish

Leese Street, east side, from Richland Avenue to 54 feet
northerly.

Leese Street, west side, from Richland Avenue to 25 feet
northerly.

Dellbrook Avenue, south side, between Clarendon Avenue and
La Avanzada.

Erkson Court, both sides, entire length of alley.

Multiple Right Turn Lanes 4-6 PM Monday through Friday - Establish
Howard Street, two right lanes, westbound at Ninth Street.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by
the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto,
Hsieh, Maher, Nelder, Ward. - 9.

Absent: Supervisors Kennedy, Walker - 2.

REGULAR CALENDAR

Monday, March 27, 1989

File 207-89-1

Pursuant to invitation from the Board of Supervisors, at the request of Supervisor Terence Hallinan, Chief of Police Frank Jordan appeared, gave a report of the incident, brought articles confiscated from the demonstrators and other evidence and responded to questions from the Supervisors. He presented the following documents for the record:

Memorandum dated March 21, 1989 from Lieutenant Anthony Novello regarding attempts to contact demonstration leaders;

San Francisco Police Department information bulletin dated January 19, 1989 relating to crowd control recommendations;

Department General Order No. F-4, pages two, three and five which contains a section entitled, Use of Liquid Chemical Agent to Accomplish Custody; and

Various letters from government agencies concerning difficulty employees encountered while attempting to enter the building to their place of employment.

Requests for Hearings

File 101-87-13.4, By Supervisor Walker: To consider release of \$1,102,356 held in reserve, Fire Department Bond Program (installation of hydrants and valves at various locations, cistern manhole frames and covers, modification to cistern geotechnical analysis contract and consultant to perform site history study and evaluation of Ingalls Street from Armstrong Avenue to Van Dyke Avenue). Referred to Finance Committee.

File 27-89-5, By Supervisor Nelder: To consider authorizing the appropriation of funds administered by the San Francisco Airport for utilization of publicity and advertising in conjunction with San Francisco Convention and Visitors Bureau programs promoting San Francisco as a final or stopover destination through the increased use of San Francisco International Airport. Referred to Economic Development Committee.

File 115-89-3, By Supervisor Hongisto: To consider whether the Planning Code is in need of revision, how the code should be revised, how the revision work should be conducted and ways in which members of the public can provide on-going input into the process. Referred to Oversight Committee.

File 166-89-2, By Supervisor Nelder: To consider safe pedestrian passage, cleaning and maintenance of storefront sidewalks in the 600 block of Broadway. Referred to Public Works Committee.

File 204-89-1, By Supervisor Nelder: To consider proposed 1989-90 fiscal year lease/purchase agreement for equipment for the San Francisco Fire Department. Referred to Oversight Committee.

Monday, March 27, 1989

[Government Funding]

Ordinance appropriating \$1,014,933, Superior Court, for permanent salaries-miscellaneous and related mandatory fringe benefits, fees and other compensation, other contractual services, use of employee cars, travel, materials and supplies, equipment, data/word processing equipment, services of other departments-Police, Social Services, CAO insurance and risk reduction-facilities maintenance projects and capital improvement projects for the creation of six positions and deletion of one position for fiscal year 1988-89. (Controller)

File 101-88-77, Ordinance No. 99-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 8.

Noes: Supervisor Britt - 1.

Absent: Supervisors Kennedy, Walker - 2.

Supervisor Hallinan requested that the Journal of Proceedings reflect that his reason for voting "aye" on the above item is cast as a courtesy to his colleague, Supervisor Willie B. Kennedy, who is unable to attend today's meeting. The "aye" vote does not reflect his true position on this ordinance which he continues to oppose.

[Government Funding]

Ordinance appropriating \$1,200,000, Municipal Court, for permanent salaries and related mandatory fringe benefits, professional services, data/word processing professional service contracts, training, materials and supplies and equipment lease/purchase for the creation of three Deputy Clerk positions and a salary range adjustment for three Traffic Referee positions and appropriating \$5,372,000 for the general reserve for fiscal year 1988-89. (Controller)

File 101-88-78, Ordinance No. 100-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 8.

Noes: Supervisor Britt - 1.

Absent: Supervisors Kennedy, Walker - 2.

Supervisor Hallinan requested that the Journal of Proceedings reflect that his reason for voting "aye" on the above item is cast as a courtesy to his colleague, Supervisor Willie B. Kennedy, who is unable to attend today's meeting. The "aye" vote does not reflect his true position on this ordinance which he continues to oppose.

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[Public Employment]

Ordinance amending Ordinance No. 269-88 (Annual Salary Ordinance, 1988-89) reflecting the addition of six positions and the deletion of one position in the Superior Court and addition of three positions and a salary range adjustment for three positions in the Municipal Court; companion measure to Files 101-88-77 and 101-88-78. (Civil Service Commission)

File 102-88-29, Ordinance No. 102-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 8.

Noes: Supervisor Britt - 1.

Absent: Supervisors Kennedy, Walker - 2.

Supervisor Hallinan requested that the Journal of Proceedings reflect that his reason for voting "aye" on the above item is cast as a courtesy to his colleague, Supervisor Willie B. Kennedy, who is unable to attend today's meeting. The "aye" vote does not reflect his true position on this ordinance which he continues to oppose.

Recommendation of Human Services Committee

Finally Passed

[MacBride Principles - Northern Ireland]

Ordinance amending Administrative Code, implementing the policy of the City and County in support of and in furtherance of the MacBride Principles, which are aimed at reducing employment discrimination in companies doing business in Northern Ireland. (Supervisors Britt, Hallinan)

File 169-88-3, Ordinance No. 107-89

(Adds Chapter 12F.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Nelder, Ward - 7.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisors Kennedy, Walker - 2.

From Governmental Operations Committee
Without Recommendation

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Consideration Continued

[Salary Standardization Ordinance]

Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County, San Francisco Community College District and San Francisco Unified School District whose compensations are subject to provisions of Sections 8.400, 8.401 and 8.407 of the Charter; effective July 1, 1989. (Civil Service Commission)

File 106-89-1, Ordinance No.

Supervisor Nelder, seconded by Supervisor Hongisto, moved to continue consideration to April 3, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 9.

Absent: Supervisors Kennedy, Walker - 2.

Adopted

[Salary Standardization Ordinance]

Motion extending by thirty days, to and including May 1, 1989, the date for the final adoption of the Salary Standardization Ordinance for persons employed by the City and County, the Community College District and the Unified School District whose compensations are subject to provisions of Sections 8.400, 8.401 and 8.407 of the Charter.

File 106-89-1.1

Supervisor Britt presented.

Supervisor Maher, seconded by Supervisor Nelder, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 9.

Absent: Supervisors Kennedy, Walker - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$10,000, Board of Supervisors, for professional and special services (legal services); for fiscal year

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1988-89; and providing ratification of action previously taken.
(Controller)

File 101-88-89, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Ward - 8.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Kennedy, Walker - 2.

Passed for Second Reading as Amended

[Government Funding]

((Ordinance appropriating \$2,131,098, Fire Department, for extended work week, overtime, differential pay and program project (lieutenant examinations); and rescinding \$278,071 from permanent salaries - crafts, holiday pay and temporary salaries.))
(Controller)

Ordinance appropriating \$2,131,098, Fire Department, for extended work week, overtime and program project (lieutenant examinations) and rescinding \$662,509 from permanent salaries - miscellaneous and uniform, holiday pay, temporary salaries, differential pay and related mandatory fringe benefits; and providing for ratification of action previously taken.

File 101-88-92, Ordinance No.

Supervisor Ward, seconded by Supervisor Hsieh, moved an amendment of the whole entitled, "Appropriating \$2,131,098, Fire Department, for extended work week, overtime and program project (lieutenant examinations) and rescinding \$662,509 from permanent salaries - miscellaneous and uniform, holiday pay, temporary salaries, differential pay and related mandatory fringe benefits; and providing for ratification of action previously taken."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Ward - 7.

Absent: Supervisors Hongisto, Kennedy, Nelder, Walker - 4.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Ward - 7.

Absent: Supervisors Hongisto, Kennedy, Nelder, Walker - 4.

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[Public Transportation]

Ordinance approving agreement between the City and County, through its Public Utilities Commission, and San Francisco Bay Area Rapid Transit District for payment by BARD to the City for transfer trips. (Public Utilities Commission)

File 80-89-1. Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 9.

Absent: Supervisors Kennedy, Walker - 2.

[Membership]

Ordinance amending Administrative Code, to authorize the Adult Probation Department to join certain membership organizations. (Adult Probation Department)

File 97-89-5. Ordinance No.

(Adds Section 16.6-47.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Ward - 8.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Kennedy, Walker - 2.

[Fees]

Ordinance amending Traffic Code, to delete the Permit Parking Engineering Fund and provide that portions of the Residential Parking Permit fees be deposited in the Road Fund to offset costs the City incurs implementing the Residential Permit Parking Program. (Department of Public Works)

File 124-89-3. Ordinance No.

(Amends Section 314.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 9.

Absent: Supervisors Kennedy, Walker - 2.

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Adopted

[Claim Against the Government]

Resolution waiving the statute of limitations with respect to payment of certain warrant of the City and County, in the sum of \$941.70, a legal obligation of the City and County. (Public Library)

File 23-89-1, Resolution No. 213-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 9.

Absent: Supervisors Kennedy, Walker - 2.

Recommendations of Public Works Committee

Passed for Second Reading

[Underground Utility Districts]

Ordinance amending Ordinance No. 305-88, to redefine Underground District No. 309 Buena Vista District, by regrouping certain affected streets in stages one, three, and four; deleting a typographic error in stage two; subdividing stage four as redefined, into four construction phases; and fixing dates for conversion by property owners and removal of overhead facilities at locations specified herein. (Department of Public Works)

File 52-89-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 9.

Absent: Supervisors Kennedy, Walker - 2.

[Truck Restriction]

Ordinance amending Traffic Code, restricting trucks over 6000 pounds on Yerba Buena Avenue between Santa Clara Avenue and Miraloma Avenue. (Department of Public Works)

File 124-89-2, Ordinance No.

(Adds Section 28.5.36.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 9.

Absent: Supervisors Kennedy, Walker - 2.

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Adopted

[Parking Facility Land Acquisition]
Resolution urging the Mayor to urge the Parking Authority to acquire property at the Southeast corner of Vallejo Street and Churchill Alley for a parking facility. (Supervisor Hsieh)

File 47-89-2, Resolution No. 217-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 9.

Absent: Supervisors Kennedy, Walker - 2.

[Parking Facility Land Acquisition]
Resolution urging the Mayor to urge the Parking Authority to proceed with acquisition of land at 2450-2470 California Street. (Supervisor Hsieh)

File 47-89-3, Resolution No. 218-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 9.

Absent: Supervisors Kennedy, Walker - 2.

[County Hazardous Waste Management Plan Advisory Committee]
Resolution extending the term of the County Hazardous Waste Management Plan Advisory Committee to assist in the completion of the Final County Hazardous Waste Management Plan to September 1, 1989. (Chief Administrative Officer)

File 128-89-1, Resolution No. 220-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 9.

Absent: Supervisors Kennedy, Walker - 2.

From the Clerk

Adopted

[Condominium Project]
Motion approving final map of 2043 Bush Street, a condominium project, being a resubdivision of Lot 25 in Assessor's Block No.

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676; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-89-4

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 9.

Absent: Supervisors Kennedy, Walker - 2.

[Condominium Project]

Motion approving final map of 88 Howard Street, also known as Rincon Towers, a condominium project, being a resubdivision of Lot 24 in Assessor's Block No. 3716. (Department of Public Works)

File 58-89-5

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 9.

Absent: Supervisors Kennedy, Walker - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to the proposed vacation of a portion of an unnamed alley in Assessor's Block 629. (Department of Public Works)

File 188-88-7.1

(Pursuant to Board of Supervisors Resolution No. 132-89 approved February 24, 1989.)

The privilege of the floor was granted to the following person:

Robert Mann, Pacific Presbyterian Medical Center.

From Department of Public Works

Passed for second reading

[Street Vacation]

Ordinance ordering vacation of an unnamed alley in Assessor's Block 629 (South line of Clay Street, west of Webster Street) to the Pacific Presbyterian Medical Center. (Department of Public Works)

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File 188-88-7.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder - 7.

Absent: Supervisors Kennedy, Maher, Walker, Ward - 4.

Recess

The Board, at the hour of 2:52 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 3:00 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh - 6.

Noted absent:

Supervisors Kennedy, Maher, Nelder, Walker, Ward - 5.

Quorum present.

Supervisor Kennedy excused. (See supra.)

Supervisor Nelder was noted present at 3:02 a.m.

Supervisor Walker excused. (See supra.)

Supervisor Ward was noted present at 3:07 a.m.

PUBLIC COMMENT

The President announced that members of the public who wished to address the Board on matters unrelated to the March 20, 1989 protest demonstration over U.S. policy in El Salvador will be heard first.

The privilege of the floor was granted to the following persons:

Margaret Burgess;
Walter O'Donnell;
Joe O'Donoghue;
Robert Mann.

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At the hour of 4:15 p.m., the privilege of the floor was granted to the following persons who addressed the Board concerning police involvement relating to the March 20, 1989 protest demonstration over U.S. policy in El Salvador:

Julie Sinai, Committee in Solidarity with the People of
El Salvador (CISPES);
Lisa Rucker;
Darla Rucker;
Diana Bullock, legal monitor;
Maureen Kilgraham;
Jackie Defasco;
Katherine Cusie;
Mike Davis;
Abbey Linsberg;
Perry Matlock;
Keith McHenry, Foods Not Bombs;
Mary Ann Jensen;
Pat Hendricks;
Dean Cuttermen;
Allan Kinsey;
John Garcia;
Mr. Rodriguez;
Mark Schwartz;
Ron Holliday;
Jeannette Palomino;
Bill Paul, Stonewall Gay Democratic Club;
John Crew, American Civil Liberties Union;

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-13, Resolution No. 208-89

(Mayor Art Agnos, March 24 - 26; Paul Denning, member, Retirement Board, March 18 - 21 and April 3 - 5; Richard J. Guggenhime, member, Recreation & Park Commission, April 19 - 29; Carl D. Gustavson, member, Redevelopment Agency, March 20 - 24; Arlene M. Sauser, Chief Adult Probation Officer, April 1 - 5; Michael P. Huerta, Port Director, April 9 - 15; Raymond Weisberg, M.D., member, Retirement Board, March 31 - April 5, 1989.)

Adopted.

[Appointment]

Resolution designating Supervisor Angela Alioto as San Francisco's representative on the Outer Continental Shelf (OCS) Board of Control. (Supervisor Britt)

Monday, March 27, 1989

File 92-89-14, Resolution No. 210-89

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Ward - 7.

Absent: Supervisors Kennedy, Maher, Nelder, Walker - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Adopted

[San Francisco Community Development Week]
Resolution approving the designation of San Francisco Community Development Week to coincide with National Community Development Week scheduled for March 24-31, 1989.

File 4-89-9.1, Resolution No. 209-89

Supervisor Gonzalez presented for immediate adoption.

Supervisor Gonzalez, seconded by Supervisor Hsieh, moved that the need to take action on the proposed resolution arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Nelder, Ward - 7.

Absent: Supervisors Hongisto, Kennedy, Maher, Walker - 4.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Ward - 7.

Absent: Supervisors Kennedy, Maher, Nelder, Walker - 4.

Referred to Committee

[Appointment]
Resolution ratifying the Mayor's appointment of the firm of Manatos and Manatos as the Federal Legislative Representative for the City

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and County of San Francisco. (Supervisor Britt presented.)
Referred to Rules Committee.

File 92-89-19

Adopted

[Grant - State Funds]

Resolution authorizing the Director of Public Works to apply for, accept and expend \$101,500 of Transportation Development Act (TDA) Article 3 funds for bicycle/pedestrian projects.

File 148-89-1.1. Resolution No. 211-89

Supervisor Hsieh presented for immediate adoption.

Supervisor Hsieh, seconded by Supervisor Ward, moved that the need to take action on the proposed resolution arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 9.

Absent: Supervisors Kennedy, Walker - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Ward - 7.

Absent: Supervisors Kennedy, Maher, Nelder, Walker - 4.

Referred to Board

[Bay Trail]

Resolution expressing support for the Association of Bay Area Governments' project to create a continuous recreational hiking and bicycling trail around San Francisco and San Pablo Bay. (Supervisor Hongisto presented.) Referred to Board April 3, 1989 Immediate Adoption Calendar.

File 205-89-1

Report Received

[Protest Demonstration]

Report received from Chief of Police Frank Jordan responding to Supervisors' inquiries concerning police involvement relating to the protest demonstration over U.S. policy in El Salvador held on Monday, March 20, 1989.

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UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$189,345, County Clerk, for permanent salaries-miscellaneous and related mandatory fringe benefits and facilities maintenance projects for the creation of 17 positions and the deletion of fourteen positions. (Controller)

File 101-88-76. Ordinance No. 98-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 8.

Noes: Supervisor Britt - 1.

Absent: Supervisors Kennedy, Walker - 2.

Supervisor Hallinan requested that the Journal of Proceedings reflect that his reason for voting "aye" on the above item is cast as a courtesy to his colleague, Supervisor Willie B. Kennedy, who is unable to attend today's meeting. The "aye" vote does not reflect his true position on this ordinance which he continues to oppose.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1988-89, Office of the County Clerk reflecting the reclassification of fourteen positions and the addition of three positions; companion measure to File 101-88-76. (Civil Service Commission)

File 102-88-31. Ordinance No. 103-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Ward - 8.

Noes: Supervisor Britt - 1.

Absent: Supervisors Kennedy, Walker - 2.

Supervisor Hallinan requested that the Journal of Proceedings reflect that his reason for voting "aye" on the above item is cast as a courtesy to his colleague, Supervisor Willie B. Kennedy, who is unable to attend today's meeting. The "aye" vote does not reflect his true position on this ordinance which he continues to oppose.

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File 204-89-2, By Supervisor Nelder: To consider safety hazards for firefighters and public caused by mechanical failures of equipment and vehicles operated by the San Francisco Fire Department and proposals to reduce staffing on engine companies and rescue squads. Referred to Oversight Committee.

File 206-89-1, By Supervisor Hongisto: To consider whether the Housing Authority has the means and provisions to evict people from the Housing Authority projects when they are identified as drug dealers. Referred to Human Services Committee.

File 207-89-2, By Supervisor Hongisto: To consider Police Department's crowd control training program and to review the Department's techniques and standards for use of force in effecting arrests. Referred to Human Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hongisto, that City Attorney meet with him and advise what legal or practical obstacles exist to the City in order to evict a drug dealer out of the public housing projects.

By Supervisor Hongisto, that letter of inquiry be sent to Acting Director of Housing Authority to determine whether all Housing Authority leases are standard and if it contains provisions that allow for evictions for criminal law violations or public nuisance violations of a resident.

By Supervisor Hongisto, that City Attorney provide opinion regarding the Planning Department's ad hoc committee to rewrite the Planning Code and its relevance to the Brown Act regarding meetings of this group, private fundraising for monies for use by the Planning Department to fund a consultant, whether this expenditure can be made without approval of the Board of Supervisors and whether the appointments to the informal group can be made without approval by the Planning Commission.

By Supervisor Hongisto, that letter of inquiry be sent to General Manager, Civil Service, asking when information requested by the Board of Supervisors pursuant to Resolution No. 826-88, adopted October 17, 1988, regarding employment discrimination will be supplied.

By Supervisor Hongisto, that City Attorney provide opinion whether legislation can be enacted that would require taxicab companies to reimburse customers for property lost due to actions of the taxicab employee.

By Supervisor Ward, that letter of inquiry be sent through the Mayor to Deputy Mayor, Office of Economic Development to determine the status of economic development plans and projects within the Bayview-Hunters Point area such as, efforts being made to encourage and increase businesses (computer hardware and software, retail,

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commercial, manufacturing and light industry) and efforts made to coordinate various City agencies, business and the community groups.

By Supervisor Gonzalez, that letter be sent to San Mateo County Board of Supervisors expressing concern over proposed designation of large parcel of land along common border as highly suitable for various hazardous waste facilities, including incinerators and urging the County of San Mateo to reconsider its designation which could result in land use decisions made in Sacramento which conflict with all regional goals for this area such as Executive Park, Sierra Point, Candlestick Point State Park, Northeast Ridge Housing Development and Brisbane Redevelopment plans.

By Supervisor Gonzalez, that letter be sent to Chief of Police inquiring whether he can investigate citizen's concern regarding alleged attempts to block the liquor license and the hours of operation for a new business which is now located at the former "Wolfgang's Nightclub" on Columbus Avenue.

By Supervisor Gonzalez, that letter of inquiry be sent to Director of Planning requesting investigation of possible permit violations of the homes located at 297 Wheeler Avenue and 290 Peninsula Avenue.

By Supervisors Gonzalez and Hsieh, that letter be sent to Director of Health inquiring what progress has been made to combine the paramedic division and the fire dispatch system as envisioned by the Board of Supervisors resolution on improving the City's Emergency Medical Services Program.

By Supervisor Gonzalez, that letter be sent to Chief of Police and the Police Commission inquiring what policies and procedures exist and will be implemented on the use of plainclothes officers at demonstrations and how will citizens attending demonstrations be able to identify such officers at the time of arrest or to submit citizen complaints.

By Supervisor Gonzalez, that letters be sent to Police Commission inquiring whether general order can be issued to all police officers advising them that any officers using demeaning racial or sexual slurs against demonstrators will result in disciplinary action.

By Supervisor Gonzalez, that letter be sent to Chief of Police, inquiring whether the Mayor or Board of Supervisors can be advised if a breakdown of communication occurs between the San Francisco Police Department and demonstration organizers twenty-four hours before the planned event in order to provide the Mayor or Board members the opportunity to contact organizers, especially if elected officials are listed as sponsors of the event.

By Supervisor Gonzalez, that letters be sent to the Police Commission and Chief of Police inquiring what procedures will be used at demonstrations in regards to the use of mace and how San Francisco Police officers will be advised that mace should only be used for self-protection and not to move or disperse demonstrators.

By Supervisor Nelder, that City Attorney draft appropriate

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legislation mandating enforcement of existing City Charter "prevailing wage" guidelines, mandating Public Works contractors and subcontractors submit weekly certified payroll receipts, an employee listing (including name, address, telephone number, and social security number for each employee) and prohibiting contract payment from the Controller to any contractor or subcontractor found not to be in compliance with all applicable "prevailing wage" laws until such time as they are found to be properly meeting those guidelines.

By Supervisor Nelder, that City Attorney draft appropriate legislation authorizing the appropriation of funds administered by the San Francisco Airport for utilization of publicity and advertising in conjunction with San Francisco Convention and Visitors Bureau programs promoting San Francisco as a final or stopover destination through the increased use of San Francisco International Airport.

By Supervisor Kennedy, that letter of inquiry be sent to Director of Planning to determine whether plans are being devised for the provision of a computer terminal for retrieval of public information for use at the information counter; whether other departments are cooperating in providing accurate data and whether consideration has been given to provide for an automated telephone response system to handle general information calls not requiring the expertise of a planner.

By Supervisor Kennedy, that letter be sent to Chief Administrative Officer inquiring whether a schedule for the maintenance (e.g., cleaning of windows) of buildings used by the City has been established.

By Supervisor Kennedy, that City Attorney draft appropriate legislation which will require all departments to notify its employees of the availability of the Employee Assistance Program for referral and that the user department shall pay for services rendered.

By Supervisor Kennedy, that letter be sent to the Mayor and City Attorney inquiring whether they plan to meet and settle with the San Francisco Interns and Residents Association soon.

By Supervisor Kennedy, that letter be sent to Director of Public Works requesting investigation of underground pipes in the area of 2519 Van Ness Avenue to determine if the vibrations from these pipes are affecting buildings on Van Ness Avenue.

By Supervisor Kennedy, that letter be sent to Treasurer inquiring whether Assessor's computer terminal dedicated for public information retrieval may be disconnected from the printer to avoid erroneous orders to print.

By Supervisor Kennedy, that letter be sent to the Assessor commending the department for providing the terminal and making it available for public use.

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Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Elena Culaba (Supervisor Ward)

Jack R. Rainville (Supervisor Kennedy)

File 2-89-13

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:14 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

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Approved by the Board of Supervisors on JUL 24 1989

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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No. 14

Monday, April 3, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

DOCUMENTS DEPT.

NOV 21 1989

SAN FRANCISCO
CALIF 94107

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 3, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Britt, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker - 7.

Noted absent at first roll call:

Supervisors Alioto, Hongisto, Kennedy, Ward - 4.

Quorum present.

Supervisor Alioto was noted present at 2:06 p.m.

Supervisor Hongisto was noted present at 2:30 p.m.

Supervisor Kennedy was noted present at 2:08 p.m.

Supervisor Ward was noted present at 2:15 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Walker, seconded by Supervisor Maher, moved that the Journals of Proceedings for Monday, October 17 and 24, 1988, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Kennedy, Ward - 3.

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CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$58,000, Police Department, for overtime (Police Athletic League Program at Oceanview Playground) and rescinding \$58,000 from Narcotics Forfeiture Fund. (Controller)

File 101-88-93, Ordinance No. 94-89

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Patricia H. Holman against the City and County by payment of \$10,000. (City Attorney)

File 45-89-9, Ordinance No. 88-89

(Superior Court No. 876-753.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Elvamaría Chamorro vs. City and County, against the City and County by payment of \$7,500. (City Attorney)

File 45-89-10, Ordinance No. 89-89

(Superior Court No. 854-047.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Elizabeth Martinez, et al. vs. City and County and Lawrence Engel, et al., vs. City and County by payment of \$40,000. (City Attorney)

File 45-89-12, Ordinance No. 90-89

(U.S. District Court No. C87-5169.)

Finally passed.

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[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Jack P. Cohen vs. Estate of Andrew J. Vanisko, et al., upon receipt of the sum of \$50,000; and authorizing dismissal of said litigation. (City Attorney)

File 46-89-2, Ordinance No. 91-89

(Superior Court No. 865-579.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of City and County vs. Mary Pasos, et al., upon receipt of the sum of \$12,500; and authorizing dismissal of said litigation. (City Attorney)

File 46-89-3, Ordinance No. 92-89

(Superior Court No. 891-433.)

Finally passed.

[Public Transportation]

Ordinance approving agreement between the City and County, through its Public Utilities Commission, and San Francisco Bay Area Rapid Transit District for payment by BART to the City for transfer trips. (Public Utilities Commission)

File 80-89-1, Ordinance No. 93-89

Finally passed.

[Fees]

Ordinance amending Traffic Code, to delete the Permit Parking Engineering Fund and provide that portions of the Residential Parking Permit fees be deposited in the Road Fund to offset costs the City incurs implementing the Residential Permit Parking Program. (Department of Public Works)

File 124-89-3, Ordinance No. 105-89

(Amends Section 314.)

Finally passed.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$231,501, Sheriff Department, for overtime and rescinding \$70,675 from permanent salaries-miscellaneous. (Controller)

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File 101-88-94, Ordinance No.

Passed for second reading.

Adopted

[Contract]

Resolution concurring with the Controller's certification that security services can be practically performed at the Department of Social Services by private contractor for lower cost than similar work services performed by City and County employees. (Department of Social Services)

File 25-89-4, Resolution No. 230-89

Adopted.

Recommendations of Public Works Committee

Finally Passed

[Underground Utility Districts]

Ordinance amending Ordinance No. 305-88, to redefine Underground District No. 309 Buena Vista District, by regrouping certain affected streets in stages one, three, and four; deleting a typographic error in stage two; subdividing stage four as redefined, into four construction phases; and fixing dates for conversion by property owners and removal of overhead facilities at locations specified herein. (Department of Public Works)

File 52-89-1, Ordinance No. 96-89

Finally passed.

[Truck Restriction]

Ordinance amending Traffic Code, restricting trucks over 6000 pounds on Yerba Buena Avenue between Santa Clara Avenue and Miraloma Avenue. (Department of Public Works)

File 124-89-2, Ordinance No. 104-89

(Adds Section 28.5.36.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Kennedy, Ward - 3.

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REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating \$10,000, Board of Supervisors, for professional and special services (legal services); for fiscal year 1988-89; and providing ratification of action previously taken. (Controller)

File 101-88-89, Ordinance No. 101-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Walker - 7.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Hongisto, Kennedy, Ward - 3.

[Government Funding]
Ordinance appropriating \$2,131,098, Fire Department, for extended work week, overtime, and program project (lieutenant examinations); and rescinding \$662,509 from permanent salaries - miscellaneous and uniform, holiday pay, temporary salaries, differential pay and related mandatory fringe benefits, for fiscal year 1988-89; and providing ratification of action previously taken. (Controller)

File 101-88-92, Ordinance No. 95-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

[Membership]
Ordinance amending Administrative Code, to authorize the Adult Probation Department to join certain membership organizations. (Adult Probation Department)

File 97-89-5, Ordinance No. 97-89

(Adds Section 16.6-47.)

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Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker - 8.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Hongisto, Ward - 2.

From Governmental Operations Committee
Without Recommendation

Consideration Continued

[Salary Standardization Ordinance]

Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County, San Francisco Community College District and San Francisco Unified School District whose compensations are subject to provisions of Sections 8.400, 8.401 and 8.407 of the Charter; effective July 1, 1989. (Civil Service Commission)

File 106-89-1, Ordinance No.

Supervisor Nelder, seconded by Supervisor Walker, moved to continue consideration to April 10, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

From Department of Public Works

Finally Passed

[Street Vacation]

Ordinance ordering vacation of an unnamed alley in Assessor's Block 629 (south line of Clay Street, west of Webster Street) to the Pacific Presbyterian Medical Center. (Department of Public Works)

File 188-88-7.1, Ordinance No. 106-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

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NEW BUSINESS

Recommendations of Finance Committee

Question Divided; Passed for Second Reading as Divided

[Government Funding]

Ordinance appropriating ((\$796,163)) \$742,163, Juvenile Court, for capital improvement projects (Youth Guidance Center Master Plan), ((professional services - Prop J/CSC)) and services of other departments-miscellaneous departments, for fiscal year 1988-89; placing \$694,420 on reserve. (Controller)

File 101-88-95, Ordinance No.

At the request of Supervisor Hsieh, the question was divided with respect to the \$54,000 appropriation for professional services so that the matter could be considered separately.

The roll was then called on the main ordinance, as divided, and it was passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$54,000, Juvenile Court, for professional services - Prop J/CSC, for fiscal year 1988-89.

File 101-88-95.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker - 9.

Noes: Supervisors Hsieh, Ward - 2.

Passed for Second Reading as Amended

[Government Funding]

Ordinance appropriating \$20,510, Department of Public Works, for permanent salaries-miscellaneous and related mandatory fringe benefits and department and division overhead for the creation of one position, for fiscal year 1988-89. (Controller)

File 101-88-96, Ordinance No.

Supervisor Kennedy, seconded by Supervisor Walker, moved to amend lines 21 through 26 as follows: replace "\$17,486" with

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"11,485; replace "2,340" with "1,537"; replace "1,100" with "722"
replace \$549" with "359"; replace "35" with "23" and replace
"(21,510)" with "(20,510)".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto,
Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto,
Hsieh, Kennedy, Nelder, Walker, Ward - 10.

Absent: Supervisor Maher - 1.

Passed for Second Reading

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1988-89, Department of
Public Works, reflecting the addition of one position; companion
measure to File 101-88-96. (Civil Service Commission)

File 102-88-36, Ordinance No.

Request Granted

Supervisor Nelder requested letter be sent to Civil Service
Commission to inquire whether consideration was given to indicate
one of the qualifications of employment would be someone from the
disabled population.

No objection and Clerk directed to comply.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto,
Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Adopted

[Acceptance of Sewer Easements]

Resolution authorizing acceptance of a sewer easement from the
United States of America and an easement deed from the San Francisco
Redevelopment Agency and to adopt findings pursuant to City Planning
Code Section 101.1. (Real Estate Department)

File 82-89-3, Resolution No. 226-89

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(Sewer easement on Morgan Heights property (Parcel C) and on U.S. Navy property within the Hunters Point Shipyard (Parcels A and B) east and north of Morgan Heights including a portion of Innes Avenue and Donahue Street connecting with the City's sewer system at Hunters Point Boulevard.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Recommendation of Land Use Committee

Passed for Second Reading

[Advertising]

Ordinance amending City Planning Code, to permit advertising on either a transit shelter or associated advertising kiosk within the Market Street Special Sign District, and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning)

File 115-88-12, Ordinance No.

(Amends Section 603.)

(Categorically exempt from environmental review.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Recommendations of Governmental Operations Committee

Passed for Second Reading as Amended

[Minority, Women and Local Business Enterprises]

Ordinance amending Administrative Code, extending the expiration date of the minority/women/local business utilization ordinance to June 30, 1989. (Supervisors Kennedy, Ward, Maher)

File 284-88-2.1, Ordinance No.

(Amends Section 12D.15.)

Supervisor Gonzalez, seconded by Supervisor Walker, moved to amend page three, line 12 by inserting "and" after "minority" and deleting "and locally" after "women"; amend line 16 by adding "and on March 17, 1989, submitted a revised report" after "Board" and amend line 19 by adding "and his revised report of March 17, 1989." after "1989".

Motion to amend adopted by the following vote:

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Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Adopted

[Street Vacation]

Resolution declaring intention of Board of Supervisors to vacate a portion of Alabama Street west of Treat Avenue and setting May 8, 1989 as date for hearing all persons interested in the proposed vacation. (Department of Public Works)

File 188-88-5, Resolution No. 231-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

From Governmental Operations Committee
Without Recommendation

Adopted

[Street Vacation]

Resolution declaring intention of Board of Supervisors to vacate a portion of the southerly half of Wallace Avenue between Hawes and Ingalls Streets for inclusion in Candlestick Point Shoreline Park, and setting the date of May 8, 1989 for hearing all persons interested in the proposed vacation and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 188-88-8, Resolution No. 232-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

From the Clerk

Adopted

[Condominium Project]

Motion approving final map of 2539 Clay Street, being a resubdivision of Lot 31 in Assessor's Block 630; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

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File 58-89-6

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

[Condominium Project]

Motion approving final map of 845 Meade Avenue, also known as Bayview Hill, being a resubdivision of Lot 83 in Assessor's Block 4991; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-89-7

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

[Condominium Project]

Motion approving final map of 370 Waller Street, being a resubdivision of Lot 32 in Assessor's Block 859; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-89-8

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to the City Planning Commission by its Motion No. 11584, dated January 26, 1989, approving Conditional Use Application No. 88.764C, authorizing a group housing facility (Work Furlough Program for California Department of Corrections), for up to 50 people in an M-2 (Heavy Industrial) District of property located at 1234 Indiana Street.

File 37-89-2

(Appeal filed February 20, 1989.)

(Environmental Review Categorically exempt.)

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Supervisor Nelder, seconded by Supervisor Gonzalez, moved to allow each individual speaker the opportunity to address the Board for five minutes instead of the usual three minutes.

After a period of discussion, Supervisor Ward, seconded by Supervisors Walker and Kennedy, moved the previous question.

The Clerk then stated "Shall the previous question be now put?"

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Noes: Supervisor Nelder - 1.

Absent: Supervisor Hongisto - 1.

The roll was then called on the motion to extend the time limit from three to five minutes for individual speakers to address the Board and it was adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder - 6.

Noes: Supervisors Britt, Kennedy, Maher, Walker, Ward - 5.

The following persons were sworn in and granted privilege of the floor:

Appellants:

Joe Boss, 934 Minnesota Street;
Jessie Tello, 623 Pennsylvania Avenue;
James Bumgard, 924 Minnesota Street;
Chris Kent, 1001 Tennessee Street;
Rev. Strickland, 22nd and Tennessee Streets;
Christie Kent, 1006 Tennessee Street;
Marvin L. Schwartz, 15 Fontanella Terrace;
Allan Rohatch, 505 Connecticut Street;
Tom Bonelli, 468 Connecticut Street;
Aufait Frazier, 600 Hampshire Street;
Kama Keets, 947 Minnesota Street;
Dorothy Redland, 1163 Tennessee Street;
Sharon Cannon, 601 Minnesota Street;
Anna Kaminski, 1004 Tennessee Street;
Rev. Cornelius Smith, 976 Minnesota Street;
Karen Robins, 704 Tennessee Street;
Raymond Felsi, 601 Minnesota Street;
Don Friend, property owner
Floyd Brown, 1061 Fitzgerald Avenue;
Bob Delamore, appellant, 1116 Tennessee Street;
Tony Domenski, 1044 Tennessee Street;
George Kodus, 1016 DeHaro Street;
Margaret Verges, Coalition for San Francisco Neighborhoods;
Ramona Albright, Twin Peaks council
Janet Carpinelli, appellant, 934 Minnesota Street;
Bob Nelki, 718 22nd Street.

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Respondents:

Bob Passmore, representing City Planning Commission and
Department of City Planning;
Michael Hennessey, Sheriff, San Francisco;
Alice Barkley, attorney representing project sponsor;
Michael Mahoney, Officer, San Francisco Police Department;
John Gleeson, Captain, San Francisco Police Department;
Bob Anderson, State Department of Corrections, Parole Division;
Walter Ellison, Re-entry Administrator, State of California;
Rev. John Philips, San Francisco United Ministers, Bayview;
Kay Hetaberg, Potrero resident and business owner;
Joe Passon, resident;
Lester Sydman, business owner, Good Life Grocery;
Enola Maxwell, 953 DeHaro Street;
Joe O'Donoghue, 1643 Chestnut Street;
Robert Bradford, 1841 19th Street;
Marvin Reeve, 1823 Noe Drive, Ventura, California.
President, Eclectic Communications

A rebuttal period was allowed.

From the Clerk

Adopted

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its
Motion No. 11584, dated January 26, 1989, approving Application No.
88.764C, for conditional use authorization of property at 1234
Indiana Street; and adopting findings pursuant to City Planning Code
Section 101.1.

File 37-89-2.1

Supervisor Walker, seconded by Supervisor Kennedy, moved
adoption.

Supervisor Maher, seconded by Supervisor Hsieh, moved to amend
by disapproving the decision of the City Planning Commission by its
Motion No. 11584, approving Application No. 88.764C for conditional
use of property at 1234 Indiana Street and approving granting a
conditional use permit subject to conditions imposed by City
Planning Commission and additional condition that the 50 bed prison
release/work furlough program be reduced to 25-bed facility and that
public hearings be held by City Planning Commission before it could
be expanded.

After a period of discussion, Supervisor Ward, seconded by
Supervisors Kennedy and Walker, moved the previous question on the
entire proceedings.

The Clerk then stated "Shall the previous question be now put?"

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Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

The roll was called on the pending amendment and it was refused adoption by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Maher - 3.

Noes: Supervisors Alioto, Britt, Hallinan, Hongisto, Kennedy, Nelder, Walker, Ward - 8.

Main motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Kennedy, Maher, Walker, Ward - 7.

Noes: Supervisors Gonzalez, Hongisto, Hsieh, Nelder - 4.

Tabled

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 11584, dated January 26, 1989, approving Application No. 88.764C, for conditional use authorization of property at 1234 Indiana Street.

File 37-89-2.2

Supervisor Walker, seconded by Supervisor Kennedy, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Kennedy, Maher, Walker, Ward - 7.

Noes: Supervisors Gonzalez, Hongisto, Hsieh, Nelder - 4.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed conditional use authorization of property at 1234 Indiana Street, for action by the Board at its next meeting.

File 37-89-2.3

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Kennedy, Maher, Walker, Ward - 8.

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Noes: Supervisors Gonzalez, Hsieh, Nelder - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ace Washington;
Walter O'Donnell.

IMMEDIATE ADOPTION CALENDAR

Severed from Immediate Adoption Calendar

Supervisor Hongisto requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

Withdrawn by Sponsor

[Bay Trail]

Resolution expressing support for the Association of Bay Area Governments' project to create a continuous recreational hiking and bicycling trail around San Francisco and San Pablo Bay. (Supervisor Hongisto)

File 205-89-1, Resolution No.

At the request of Supervisor Hongisto, the President directed the above subject legislation be withdrawn because the Board previously adopted Resolution No. 926-88 (see Journal of Proceedings dated November 28, 1988) supporting the Bay Area Trail and Bay Area Ridge Trail.

No objection and Clerk directed to comply.

The Board resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

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File 1-89-14, Resolution No. 227-89

(Harry G. Britt, President, Board of Supervisors, April 7 - 11; Dale A. Carlson, member, Library Commission, March 29 - April 2; Mrs. Joseph D. Cuneo, member, War Memorial Board of Trustees, March 17 - 22; Q. Todd Dickinson, Chairman, Parking Authority, March 23 - 27; Douglas Engmann, President, City Planning Commission, March 22 - 31; Allen C. Haile, President, Social Services Commission, March 31 - April 5 and April 7 - 11; Anne Healy, member, Art Commission, April 11 - June 17; Richard D. Hongisto, member, Board of Supervisors, April 20 - May 7; Michael Huerta, Port Director, March 27 - 30 and April 9 - 15; Lucile Lockhart, member, Human Rights Commission, April 7 - 12; Harry S. Parker, III, Director of the Fine Arts Museums, April 11 - 16; Father Peter Sammon, member, Human Rights Commission, March 27 - April 4; Arlo Smith, District Attorney, April 11, 1989.)

Adopted.

[Street Closing]

Resolution authorizing temporary street closing of portion of Maiden Lane, on Wednesday, April 26, 1989, from 4:00 p.m. to 9:00 p.m., for the Bally of Switzerland retail store opening reception and fashion show to benefit San Francisco Beautiful, a non-profit group which maintains, retains and creates civic beauty. (Supervisor Britt)

File 42-89-8, Resolution No. 229-89

(Maiden Lane, between Stockton Street and 150 feet east of Stockton Street.)

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 8.

Absent: Supervisors Hongisto, Maher, Nelder - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Street Fairs]

Substitute ordinance amending San Francisco Administrative Code Section 2.70-6, relating to Police Department fees for street fairs.

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appeals, refunds of fees and annual police department reports. (Supervisor Walker presented.) Referred to Governmental Operations Committee.

File 97-88-69

[Credit Cards]

Ordinance amending Administrative Code by adding Section 10.11-1, authorizing officers, boards and commissions of the City and County of San Francisco to accept payments by credit cards. (Supervisor Kennedy presented.) Referred to Finance Committee.

File 97-89-12

Adopted

[State Legislation]

Resolution urging the California State Senate and State Assembly to adopt Senate Bill 89, adding peace officers to those eligible for worker's compensation benefits for disabling cancer cases reasonably linked to execution of work duties.

File 12-89-6, Resolution No. 228-89

Supervisor Nelder presented for immediate adoption.

Supervisor Nelder, seconded by Supervisor Hallinan, moved that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote.

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker, Ward - 9.

Absent: Supervisors Hongisto, Maher - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 8.

Absent: Supervisors Hongisto, Maher, Nelder - 3.

Referred to Committee

[Parking Garage Lease]

Resolution accepting bid of Metropolitan Parking Corporation in response to call for bids for lease of Vallejo Street Garage and awarding said lease to said bidder as the highest and best responsible bidder. (Supervisor Gonzalez presented.) Referred to Governmental Operations Committee.

File 47-89-4

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Referred to Board

[Street Name Change]

Resolution amending Resolution No. 62-88 to reflect corrections in description and location of Jack London Alley (Center Place) and Ambrose Bierce Street (Aldrich Street). (Supervisor Walker presented.) Referred to Board April 10, 1989 Immediate Adoption Calendar.

File 75-89-2

Referred to Committee

[Waterfront Transportation Program]

Resolution creating a Waterfront Transportation Project Office under the Chief Administrative Officer to coordinate planning, financing, design and construction of a waterfront transportation program; authorizing the Project Office through the Chief Administrative Officer upon approval of the Board of Supervisors to apply for, accept and expend grant funds. (Supervisor Ward presented.) Referred to Public Works Committee.

File 208-89-1

Requests for Hearings

File 7-89-1, By Supervisor Nelder: To consider the scheduling and timely weekday performance of the Municipal Railway 31B Balboa Express bus line. Referred to Public Works Committee.

File 18-89-8, By Supervisor Gonzalez: To consider installation of Stop sign on the corner of 21st and Guerrero Street and installation of an intersection traffic light at 29th and Guerrero Street with five to ten-second delay between red and green lights. Referred to Public Works Committee.

File 83-89-4, By Supervisor Nelder: To consider urging the Mayor to urge the Board of Education to consider use of available school property for creation of a school for homeless children and a model experimental school for these children without a home address. Referred to Human Services Committee.

File 97-89-13, By Supervisor Hsieh: To consider requiring the performance of an environmental assessment prior to the purchase and lease of any new property. Referred to Finance Committee.

File 100-89-6, By Supervisor Hongisto: To consider terminology used relative to the City's budget. Referred to Finance Committee.

File 121-89-4, By Supervisor Nelder: To consider enforcement of existing charitable solicitor ordinances and the legal basis through which enforcement has been avoided. Referred to Human Services Committee.

File 126-89-1, By Supervisor Hsieh: To consider extending the current condominium conversion limitation ordinance for an additional three years. Referred to Public Works Committee.

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File 127-89-2, By Supervisor Kennedy: To consider applicability of hotel tax to residential hotels. Referred to Finance Committee.

File 193-89-2, By Supervisor Nelder: To consider commercialization of exhibits within the Japanese Tea Garden, including admissions contract and the proposed installation of an audio system. Referred to Public Works Committee.

File 193-89-3, By Supervisor Nelder: To consider placing reserve on Civic Center Plaza Renovation Funds. Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hongisto, that City Attorney prepare appropriate legislation which would require gas stations to post signs that inform customers at self-service stations whether or not they must pay before pumping gas.

By Supervisor Hsieh, that City Attorney prepare appropriate legislation which would require that the City perform an environmental assessment prior to the purchase and lease of any new property.

By Supervisor Hsieh, that City Attorney prepare appropriate legislation which would extend the current condominium conversion limitation ordinance for an additional three years.

By Supervisor Hsieh, that letter of inquiry be sent to the San Francisco Landmarks Advisory board to determine what specific considerations, such as health, safety, social welfare, seismic integrity and economic impact, were reviewed by the San Francisco Advisory Landmarks Board prior to proposing the designation of Chinatown as an Historical Landmark District and requesting a response within 15 days to insure there is ample time to review said response prior to public hearing before the San Francisco Planning Commission.

By Supervisor Kennedy, that letter be sent to Director of Public Works inquiring whether the colored rock or cracked rock used by the laboratory at City Hall and elsewhere may be recycled rather than thrown away.

By Supervisor Kennedy, that letters of inquiry be sent to Chief of Police and Director, Office of Citizen Complaints, concerning an arrest which occurred on January 4, 1989, (Office of Citizen Complaint Case Number 0019-89).

By Supervisor Kennedy, that City Attorney draft appropriate legislation which will allow landlords to pass through amounts required to install smoke detectors and which will allow a private cause of action for failure to install such detectors.

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By Supervisor Kennedy, that Budget Analyst perform study to evaluate the effects of rent control and determine its beneficiaries; the impact of vacancy control on the economy of San Francisco and develop recommendations for the creation of affordable housing in San Francisco.

By Supervisor Nelder, that City Attorney review and advise concerning commercialization of charitable solicitation garments (contained in File 121-89-4) sold for charitable purposes with no markings, acquired at table set up on Powell Street, with a view towards drafting appropriate legislation effectively mandating enforcement of charitable solicitor ordinance.

By Supervisor Nelder, that letter be sent to Board of Education inquiring whether proposal of using available school property for the creation of a school for homeless children and creating a model experimental school program for school age children regardless of their domestic condition is feasible.

By Supervisor Nelder, that City Attorney draft charter amendment which would mandate maintenance of a particular number of officers for the San Francisco Police Department.

By Supervisor Nelder, that City Attorney draft charter amendment which would mandate the San Francisco Police Department maintain the Mounted Patrol Unit and that the City and County annually provide the necessary funding to ensure the unit's continued existence.

By Supervisor Nelder, that City Attorney prepare appropriate legislation placing approximately \$1,029,000 in general fund monies already appropriated but not yet spent for the Civic Center Plaza Renovation project in reserve pending hearings to consider any proposed changes, mandating that only necessary repairs or changes take place until after those hearings.

By Supervisor Ward, that letter of inquiry be sent to General Manager, Recreation and Park Department, concerning repairs in which \$200,000 was designated in 1987 for Hill Top Point Park, to determine if the sun dial can be repaired, the facility repainted and lights replaced.

By Supervisor Ward, that letter of inquiry be sent to General Manager, Recreation and Park Department to determine whether consideration can be given to establishment of a mini-park at the corners of Innes Avenue, Hunters Point Boulevard and Hawes Street in the Bayview Hunters Point District.

By Supervisor Alioto, that letter be sent to his Honor, the Mayor, requesting he proclaim April 10, 1989, as "San Francisco Giants Day" in honor of the season's first home game.

By Supervisor Gonzalez, that letter be sent to General Manager, Municipal Railway, inquiring whether the following concerns can be investigated regarding graffiti on Muni buses, noise caused by light rail vehicles and scheduling of these LRV's from 4:45 a.m. to 1:30 a.m. which disrupts citizens' sleep in the vicinity of 823 Judah Street.

Monday, April 3, 1989

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

George Asdrubale (Supervisor Nelder)
Paul Schwabacher (Supervisors Kennedy, Walker, Ward)
Stafford Buckley, Sr. (Supervisors Maher, Britt)

File 2-89-14

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 8:51 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, April 3, 1989

Approved by the Board of Supervisors on July 24, 1989

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors





Vol. 84

No. 15

Monday, April 10, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 10, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Harry G. Britt, the meeting was called to order at 2:06 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Kennedy, Walker, Ward - 7.

Noted absent at first roll call:

Supervisors Britt, Hsieh, Maher, Nelder - 4.

Quorum present.

Supervisor Britt excused, on official leave of absence.

Supervisor Hsieh was noted present at 2:07 p.m.

Supervisor Maher was noted present at 2:10 p.m.

Supervisor Nelder excused. (See infra.)

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Walker, seconded by Supervisor Hongisto, moved that Supervisor Hallinan be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Kennedy, Walker, Ward - 7.

Absent: Supervisors Britt, Hsieh, Maher, Nelder - 4.

Supervisor Hallinan thereupon assumed the Chair.

Monday, April 10, 1989

Supervisor Nelder Excused

The Clerk announced Supervisor Nelder requested to be excused from attending today's meeting because of a personal emergency.

Supervisor Walker, seconded by Supervisor Alioto, moved to excuse Supervisor Nelder from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Walker, Ward - 8.

Absent: Supervisors Britt, Maher, Nelder - 3.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Walker, moved that the Journals of Proceedings for Monday, October 31 and November 7, 1988, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Walker, Ward - 8.

Absent: Supervisors Britt, Maher, Nelder - 3.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$231,501, Sheriff Department, for overtime and rescinding \$70,675 from permanent salaries-miscellaneous. (Controller)

File 101-88-94, Ordinance No. 109-89

Finally passed.

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of City of Mountain View against the City and County of San Francisco for \$550,000 by payment from the impound account. (City Attorney)

Monday, April 10, 1989

File 45-89-13, Ordinance No.

(Santa Clara Superior Court No. P47923)

Passed for second reading.

Adopted

[Employee Replacement]

Resolution approving the immediate filling of vacated position of 6122 Senior Environmental Health Inspector, District Health Center #5, Department of Public Health. (Department of Public Health)

File 31-89-5, Resolution No. 239-89

Adopted.

[Employee Replacement]

Resolution approving immediate filling of a vacated position of 2145, Hospital Associate Administrator, Department of Public Health, San Francisco General Hospital. (Department of Public Health)

File 31-89-6, Resolution No. 240-89

Adopted.

Recommendation of Land Use Committee

Finally Passed

[Advertising]

Ordinance amending City Planning Code, to permit advertising on either a transit shelter or associated advertising kiosk within the Market Street Special Sign District, and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning)

File 115-88-12, Ordinance No. 114-89

(Amends Section 603.)

(Categorically exempt from environmental review.)

Finally passed.

Recommendations of Governmental Operations Committee

Adopted

[Parking of Vehicles]

Resolution extending boundaries of Residential Permit Parking area "S" in the Duboce Triangle area and adding Lapidge Street, between Eighteenth and Nineteenth Streets, east side, to the list of streets

Monday, April 10, 1989

upon which time limitations shall apply. (Department of Public Works)

File 40-89-5, Resolution No. 244-89

Adopted.

[State Disability]

Resolution authorizing enrollment of Classification A-557 Deputy Fiscal Officer in the State Disability Insurance Program. (Employee Relations Division)

File 89-89-2, Resolution No. 246-89

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Adopted

[Findings]

Motion adopting findings denying the appeal from approval of conditional use authorization by the City Planning Commission by its Motion No. 11584, and approving Application No. 88.764C for conditional use authorization of property located at 1234 Indiana Street; adopting findings pursuant to City Planning Code Section 101.1.

File 37-89-2.4

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Monday, April 10, 1989

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$742,163, Juvenile Court, for capital improvement projects (Youth Guidance Center Master Plan), and services of other departments-miscellaneous departments, for fiscal year 1988-89; placing \$694,420 on reserve. (Controller)

File 101-88-95, Ordinance No. 110-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Government Funding]

Ordinance appropriating \$54,000, Juvenile Court, for professional services - Prop J/CSC, for fiscal year 1988-89. (Controller)

File 101-88-95.1, Ordinance No. 111-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Walker, Ward - 8.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Britt, Nelder - 2.

[Government Funding]

Ordinance appropriating \$20,510, Department of Public Works, for permanent salaries-miscellaneous and related mandatory fringe benefits and department and division overhead for the creation of one position, for fiscal year 1988-89. (Controller)

File 101-88-96, Ordinance No. 112-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1988-89, Department of Public Works, reflecting the addition of one position, disability

Monday, April 10, 1989

access coordinator; companion measure to File 101-88-96. (Civil Service Commission)

File 102-88-36, Ordinance No. 113-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Recommendation of Governmental Operations Committee

Finally Passed

[Minority, Women and Local Business Enterprises]
Ordinance amending Administrative Code, extending the expiration date of the minority/women/local business utilization ordinance to June 30, 1989. (Supervisors Kennedy, Ward, Maher)

File 284-88-2.1, Ordinance No. 108-89

(Amends Section 12D.15.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

From Governmental Operations Committee
Without Recommendation

Consideration Continued

[Salary Standardization Ordinance]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County, San Francisco Community College District and San Francisco Unified School District whose compensations are subject to provisions of Sections 8.400, 8.401 and 8.407 of the Charter; effective July 1, 1989. (Civil Service Commission)

File 106-89-1, Ordinance No.

Supervisor Walker, seconded by Supervisor Nelder, moved to continue consideration to April 17, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Monday, April 10, 1989

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading as Amended

(Supervisor Hallinan dissenting in Committee.)

[Government Funding]

Ordinance appropriating \$3,000,000, Water Department, for payments to other governments (purchasing water) and placing \$500,000 on reserve. (Controller)

File 101-88-97, Ordinance No.

Supervisor Walker, seconded by Supervisor Kennedy, moved to amend title, line 2 and add Section 2 to reflect placing \$500,000 on reserve to be released by the Finance Committee.

Supervisor Hsieh, seconded by Supervisor Hallinan, moved substitute amendment to place \$3,000,000 on reserve.

Substitute motion to amend refused adoption by the following vote:

Ayes: Supervisors Hallinan, Hsieh - 2.

Noes: Supervisors Alioto, Gonzalez, Hongisto, Kennedy, Maher, Walker, Ward - 7.

Absent: Supervisors Britt, Nelder - 2.

The roll was then called on the pending amendment and it was adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$130, Public Library, permanent salaries - craft and rescinding \$130 from subscriptions, for immediate filling

Monday, April 10, 1989

of Classification 7335 Senior Stationary Engineer. (Supervisor Walker)

File 101-88-98, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Adopted

[Employee Replacement]

Resolution approving immediate filling of a vacated position of Classification 7335, Senior Stationary Engineer, Public Library; companion measure to File 101-88-98. (Public Library)

File 31-89-7, Resolution No. 241-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Moccasin Dam Auxiliary Spillway Negative Declaration]

Resolution adopting Final Negative Declaration, finding and determining that the proposed construction of the Moccasin Dam Auxiliary Spillway will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to File 28-89-4. (Department of City Planning)

File 28-89-4.1, Resolution No. 238-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Emergency Work]

Resolution approving the emergency expenditure of funds in the amount of \$1,434,000 for construction of an auxiliary spillway at Moccasin Dam, Hetch Hetchy Water and Power. (Public Utilities Commission)

File 28-89-4, Resolution No. 237-89

Monday, April 10, 1989

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Gift Acceptance]

Resolution accepting donation of nine electric motors from Everson Electric Company for Municipal Railway. (Public Utilities Commission)

File 38-89-5, Resolution No. 242-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Gift Acceptance]

Resolution accepting gift of Sacramento-Clay Cable Car Number 19 from the Pacific Coast Chapter of the Railway and Locomotive Historical Society for Municipal Railway. (Public Utilities Commission)

File 38-89-6, Resolution No. 243-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Recommendations of Governmental Operations Committee

Passed for Second Reading

[Airport-Lease and Use Agreement]

Ordinance approving the "Modification to Lease and Use Agreement No. 82-0111" between American Airlines, Inc., and the City and County acting by and through its Airports Commission. (Airports Commission)

File 27-89-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Monday, April 10, 1989

[Real Property Exchange]

Ordinance authorizing exchange of real property required for community landscaping and accepting certain real property for a neighborhood facility and child care center; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 184-89-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Adopted

[Memorandum of Understanding]

Resolution ratifying Memorandum of Understanding with SEIU, Local 790 (Per Diem Nurses), for fiscal year 1988-89. (Employee Relations Division)

File 93-89-3, Resolution No. 247-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Memorandum of Understanding]

Resolution ratifying Memorandum of Understanding with SEIU, Local 790 (Staff Nurses), for fiscal year 1988-89. (Employee Relations Division)

File 93-89-4, Resolution No. 248-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Vacation of Public Water Main Easement]

Resolution declaring intention of Board of Supervisors to vacate a portion of a public water main easement north of Winston Drive; and setting the date of May 15, 1989 for hearing all persons interested in the proposed vacation. (Department of Public Works)

File 198-89-1, Resolution No. 250-89

Monday, April 10, 1989

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Street Vacation]

Resolution declaring intention of Board of Supervisors to vacate portions of Beale, First and Townsend Streets at The Embarcadero; setting the date of May 15, 1989 for hearing all persons interested in the proposed vacation; and authorizing the Director of Property to accept quitclaim deeds from the abutting property owners. (Department of Public Works)

File 198-89-2, Resolution No. 251-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Jurisdictional Transfer]

Resolution transferring jurisdiction of a portion of Lot 2 in Assessor's Block 3925, located at 1200 - 15th Street, from the Purchasing Department to the Office of the Chief Administrative Officer for use as an animal control facility, and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 199-89-1, Resolution No. 252-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Recommendations of Land Use Committee

Adopted

[Ocean Avenue Fast Food Subdistrict]

Resolution adopting Final Negative Declaration, finding and determining that amending the Planning Code to allow exceptions for certain food drive-up facilities in the Ocean Avenue fast-food subdistrict will have no significant impact on the environment, and adopting and incorporating findings of final negative declaration; companion measure to File 115-89-9. (Department of City Planning)

Monday, April 10, 1989

File 115-89-2, Resolution No. 249-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Passed for Second Reading

[Drive-Up Food Facilities]

Ordinance amending City Planning Code, to allow an exception for certain drive-up facilities in a Food Service Use in the Ocean Avenue fast-food subdistrict, and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Ward)

File 115-88-9, Ordinance No.

(Amends Section 781.3.)

(City Planning Commission, at its hearing of 2/9/89, failed to approve proposed text amendment. Deemed disapproved.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

From the Clerk

Adopted

[Condominium Project]

Motion approving final map of 999 Wisconsin Street, being a resubdivision of Lots 38 and 73 in Assessor's Block 4162; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-89-9

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

Monday, April 10, 1989

[Public Hearing]

Hearing of persons interested in or objecting to the report of assessment of costs submitted by the Director of Public Works for sidewalk and curb repairs at various locations ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

File 41-89-3

The President inquired if there was anyone present desiring to speak.

There being no response, the President declared the hearing closed.

From the Department of Public Works

Adopted

[Assessment of Costs]

Resolution confirming report of assessment of costs submitted by the Director of Public Works for sidewalk and curb repairs at various locations ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Department of Public Works)

File 41-89-3, Resolution No. 245-89

<u>(Address)</u>	<u>Amount</u>
504-06 Oak Street	\$ 990.00
219-223 Clayton Street	126.50
1301-1355 Post Street	198.00
985 Pine Street	148.50
2171 Mission Street	1,100.00
1333 Gough Street	770.00
509-11 Buchanan Street	594.00
500 Oak Street	1,050.50
9 Peter York Way	2,277.00
1200-02 Treat Street	3,762.00
3510-18th Street	2,447.50
345 Sutter Street	357.50
1360 Taylor Street	2,821.50
1371-3 Post Street	99.00.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder 2.

Monday, April 10, 1989

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Don Grendal;
Peter Fatooh;
Philip Brown.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-15, Resolution No. 234-89

(Dr. Amalia Mesa-Bains, member, Art Commission, March 28-April 5, April 9-11, May 6-7, May 18-June 1, June 17-19, June 26-July 13; Nancy Boas, member, Art Commission, April 9-18; Jim Gonzalez, member, Board of Supervisors, April 23-26; Barbara O'Hearn, Director, Residential Rent Stabilization and Arbitration Board, April 4-14; Michael Hennessey, Sheriff, April 23-26; Michael P. Huerta, Port Director, April 8-15 and April 29-May 12; Willie B. Kennedy, member, Board of Supervisors, April 5-9 and April 14-23; Robert F. LaRocca, member, Art Commission, April 23-May 7; Boyd G. Stephens, M.D., Chief Medical Examiner, October 11-19, 1989).

Adopted.

[Restoration of the California Office of Family Planning]

Resolution calling upon Governor Deukmejian to restore full funding to the California Office of Family Planning. (Supervisor Alioto)

File 12-89-7, Resolution No. 235-89

Adopted.

[Street Name Change]

Resolution amending Resolution No. 62-88 to reflect corrections in description and location of Jack London Alley (Center Place) and Ambrose Bierce Street (Aldrich Street). (Supervisor Walker)

Monday, April 10, 1989

File 75-89-2, Resolution No. 236-89

Adopted.

The foregoing items on the Immediate Adoption Calendar was acted upon by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 7.

Absent: Supervisors Britt, Hongisto, Maher, Nelder - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Dry Cleaners - Price Posting]

Draft ordinance amending Police Code by adding Section 667, to require the posting of prices in dry cleaners and laundries. (Supervisor Hongisto presented.) Referred to Human Services Committee.

File 121-89-5

Referred to Board

[Proclamation]

Resolution urging his Honor, the Mayor, to declare the day of June 25, 1989 as Korean War Memorial Day. (Supervisor Walker presented.) Referred to Board April 17, 1989 Immediate Adoption Calendar.

File 4-89-10

[Proclamation]

Resolution urging the Mayor to designate May 1 through May 7, 1989, as "Older Americans Abuse Prevention Week" in San Francisco. (Supervisor Britt presented.) Referred to Board April 17, 1989 Immediate Adoption Calendar.

File 4-89-11

Referred to Committee

[State Legislation]

Resolution supporting SB 437 and SB 438 relating to the State Board of Equalization and urging the Mayor to urge the State Legislature

Monday, April 10, 1989

to pass SB 437 and SB 438. (Supervisor Hsieh presented.) Referred to Finance Committee with request it be considered at the April 26, 1989 meeting.

File 12-89-4

Adopted

[State Legislation]

Resolution opposing enactment of Senate Bill 1278 concerning pre-emption of local rent stabilization laws.

File 12-89-8, Resolution No. 233-89

Supervisor Kennedy presented for immediate adoption.

Supervisor Kennedy, seconded by Supervisor Walker, moved that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Walker - 6.

Absent: Supervisors Britt, Hongisto, Maher, Nelder, Ward - 5.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 7.

Absent: Supervisors Britt, Hongisto, Maher, Nelder - 4.

Referred to Board

[State Legislation]

Resolution urging passage of Senate Bill 1221, relating to raising refund value on beverage containers which fail to achieve a 65 percent recycling level to five cents. (Supervisor Walker presented.) Referred to Board April 17, 1989 Immediate Adoption Calendar.

File 12-89-9

Referred to Committee

[Federal Regulations]

Resolution opposing the deregulation of presently designated "low level" radioactive waste, prohibiting acceptance of such waste at any waste facility within the City and urging the Mayor, Congress and the Nuclear Regulatory Commission to act to rescind Section 10 of the Federal Low Level Radioactive Waste Policy Amendment Act of 1985. (Supervisor Hallinan presented.) Referred to Human Services Committee.

Monday, April 10, 1989

File 13-89-6

[Children's Budget]

Resolution urging the Mayor to strengthen and expand, over the next two years, locally funded children's programs using local, state, federal and other funds. (Supervisors Alioto, Kennedy, Gonzalez presented.) Referred to Human Services Committee.

File 100-89-7

[Housing Authority Drug Control]

Resolution urging the Mayor to urge the Housing Authority Board of Commissioners to evaluate and consider the possible benefits of developing a comprehensive plan modeled after the Chicago Housing Authority Initiative to attempt to bring drug and drug-related crime under control in the City's housing projects. (Supervisor Hongisto presented.) Referred to Human Services Committee.

File 206-89-2

Requests for Hearings

File 7-89-2, By Supervisors Gonzalez and Alioto: To consider safety of Municipal Railway vehicles. Referred to Public Works Committee.

File 211-89-1, By Supervisors Kennedy and Alioto: To consider living conditions of women with children in residence at City Center Hotel and Apollo Hotel. Referred to Human Services Committee.

File 212-89-1, By Supervisors Alioto and Gonzalez: To consider safety status of San Francisco school buses. Referred to Human Services Committee.

File 207-89-3, By Supervisor Hallinan: To consider present mandate of the Office of Citizens Complaints and to determine the need for clarification of its powers with attention to whether the Office of Citizens Complaints or the Human Rights Commission can play a proactive role in facilitating communication between activists and police at demonstrations in order to help eliminate violence. Referred to Human Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hongisto, that City Attorney review and approve as to form legislation regarding dry cleaners price posting.

By Supervisors Hongisto, Alioto and Gonzalez, that City Attorney prepare appropriate legislation which would ban the sale or possession of assault weapon ammunition in excessive rounds such as 20-round clips.

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By Supervisor Hsieh, that City Attorney prepare appropriate legislation which would implement a six month amnesty program for paying parking ticket violations and institute a boot program whereby after six months any car with five tickets or more will have a boot attached to it.

By Supervisor Hsieh, that letter be sent to General Manager, Recreation and Park Department, inquiring what efforts have been taken regarding the increased utility of ground water irrigation in Golden Gate Park. What percentage of Golden Gate Park is being irrigated by ground water irrigation and what is the current condition and status of the pipes laid from Golden Gate Park to Lincoln Golf Course.

By Supervisor Hsieh, that letters of inquiry be sent to the Mayor; General Manager, Public Utilities and Commander, Presidio, to determine what will happen to the management of ground water at Lobos Creek if the Presidio Base is closed.

By Supervisor Nelder, that City Attorney prepare appropriate legislation which would transfer the jurisdiction of the Balboa Reservoir to City College of San Francisco and permit acceptance of available State funding to facilitate the proposed erection of new library facilities.

By Supervisor Walker, that City Attorney prepare appropriate charter amendment which would combine Adult and Juvenile Departments into one operating department, transfer jurisdiction for probation from the courts to the Office of the Mayor; provide civil service reform to achieve effective implementation of this transition and establish commission to oversee this department.

By Supervisor Alioto, that letter be sent to San Francisco Board of Education to determine current safety status of school buses.

By Supervisor Alioto, that letters be sent to General Manager, Civil Service and City Attorney inquiring whether the City has program for encouraging recruitment, hiring and promotion of disabled citizens.

By Supervisors Gonzalez and Alioto, that City Attorney prepare appropriate legislation urging the Mayor to urge the Public Utilities Commission to proceed with an emergency program to retrofit 150 Municipal Railway buses in the GMC 3500 and 3600 series which have been determined to be in violation of State law requiring they be equipped with doors that spring open when touched.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Al Schaaf (Supervisor Britt)
Margot Weld Cole (Supervisor Maher)
Charles Hughes (Supervisor Gonzalez)
Roshawn Johnson (Supervisor Gonzalez)
Haig Kafafian (Supervisor Gonzalez)

Monday, April 10, 1989

File 2-89-15

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:33 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, April 10, 1989

Approved by the Board of Supervisors on July 31, 1989

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 84

No. 16

Monday, April 17, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

DOCUMENTS DEPT.

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San Francisco
Public Library

Monday, April 17, 1989

Board of Supervisors Journal of Proceedings

CITY AND COUNTY OF SAN FRANCISCO

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 17, 1989 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Britt, Gonzalez, Hallinan, Hsieh, Walker, Ward - 6.

Noted absent at first roll call:

Supervisors Alioto, Hongisto, Kennedy, Maher, Nelder - 5.

Quorum present.

Supervisor Alioto was noted present at 2:05 p.m.

Supervisor Hongisto was noted present at 2:10 p.m.

Supervisor Kennedy excused, on official leave of absence.

Supervisor Maher was noted present at 2:07 p.m.

Supervisor Nelder was noted present at 2:06 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Walker, seconded by Supervisor Alioto, moved that the Journals of Proceedings for Monday, November 14 and November 28, 1988, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Nelder, Walker, Ward - 8.

Absent: Supervisors Hongisto, Kennedy, Maher - 3.

Monday, April 17, 1989

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Hallinan requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Governmental Operations Committee

Adopted

[Grant - State Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a grant of \$174,359 from the California Department of Health Services to fund the Residential AIDS Shelter Pilot Program. (Mayor)

File 146-89-16, Resolution No. 274-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Mongisto, Kennedy - 2.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$130, Public Library, permanent salaries - craft and rescinding \$130 from subscriptions, for immediate filling of Classification 7335 Senior Stationary Engineer. (Supervisor Walker)

File 101-88-98, Ordinance No. 118-89

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of City of Mountain View against the City and County for \$550,000 by payment from the impound account. (City Attorney)

Monday, April 17, 1989

File 45-89-13, Ordinance No. 116-89

(Santa Clara Superior Court No. P47923)

Finally passed.

Adopted

[Contract]

Resolution concurring with the Controller's certification that janitorial services can be practically performed at the Office of the Controller at 160 South Van Ness Avenue by private contractor for lower cost than similar work services performed by City and County employees. (Controller)

File 25-89-5, Resolution No. 257-89

Adopted.

[Contract]

Resolution concurring with the Controller's certification that jail food services management operation for the City and County can practically be performed by private contraction at a lower cost for the year commencing July 1, 1989 than if work were performed by City and County employees. (Controller)

File 25-89-6, Resolution No. 258-89

Adopted.

[Contract]

Resolution approving the Controller's certification that the Eviction Assistance Program for the City and County can practically be performed by private contraction at a lower cost for the year commencing July 1, 1989 than if work were performed by City and County employees. (Controller)

File 25-89 7, Resolution No. 259-89

Adopted.

[Contract]

Resolution approving the Controller's certification that the Pretrial Diversion Program for the City and County can practically be performed by private contraction at a lower cost for the year commencing July 1, 1989 than if work were performed by City and County employees. (Controller)

File 25-89-8, Resolution No. 260-89

Adopted.

Monday, April 17, 1989

[Contract - Airport Administration]

Resolution approving the Controller's certification that the Parking Management Services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the year commencing July 1, 1989 than if work were performed by City and County employees at presently budgeted levels. (Controller)

File 25-89-9, Resolution No. 261-89

Adopted.

Recommendations of Governmental Operations Committee

Finally Passed

[Airport-Lease and Use Agreement]

Ordinance approving the "Modification to Lease and Use Agreement No. 82-0111" between American Airlines, Inc., and the City and County acting by and through its Airports Commission. (Airports Commission)

File 27-89-3, Ordinance No. 115-89

Finally passed.

[Real Property Exchange]

Ordinance authorizing exchange of real property required for community landscaping and accepting certain real property for a neighborhood facility and child care center; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 184-89-2, Ordinance No. 120-89

Finally passed.

Adopted

[Award of Parking Garage Lease]

Resolution accepting bid of Metropolitan Parking Corporation in response to call for bids for lease of Vallejo Street Garage and awarding said lease to said bidder as the highest and best responsible bidder. (Supervisor Gonzalez)

File 47-89-4, Resolution No. 263-89

Adopted.

[Lease of Property]

Resolution authorizing the extension of three existing leases of real property for use by Department of Social Services. (Real Estate Department)

Monday, April 17, 1989

File 64-89-9, Resolution No. 264-89

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Hongisto, Kennedy - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Finally Passed

(Supervisor Hallinan dissenting in Committee.)

[Government Funding]

Ordinance appropriating \$3,000,000. Water Department, for payments to other governments (purchasing water) and placing \$500,000 in reserve. (Controller)

File 101-88-97, Ordinance No. 117-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hsieh, Maher, Walker, Ward - 7.

Noes: Supervisors Hallinan, Nelder - 2.

Absent: Supervisors Hongisto, Kennedy - 2.

Recommendation of Land Use Committee

Finally Passed

[Drive-Up Food Facilities]

Ordinance amending City Planning Code, to allow an exception for certain drive-up facilities in a Food Service Use in the Ocean Avenue fast-food subdistrict, and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Ward)

File 115-88-9, Ordinance No. 119-89

Monday, April 17, 1989

(Amends Section 781.3.)

(City Planning Commission, at its hearing of 2/9/89, failed to approve proposed text amendment. Deemed disapproved.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Hongisto, Kennedy - 2.

Recommendation of Governmental Operations Committee

Consideration Continued

(Supervisor Hsieh dissenting in Committee.)

[Public Works Contracts]

Ordinance amending Administrative Code, providing that city departments shall reject the bids of prime contractors when they or their subcontractors are not signatories to a recognized apprenticeship program or cannot gain access to the necessary equipment or do not possess the necessary experience or financial qualifications to perform the contract. (Supervisor Nelder)

File 97-88-29.1, Ordinance No.

(Amends Section 6.47.)

Supervisor Nelder, seconded by Supervisor Walker, moved to continue consideration to May 15, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

Called Out of Governmental Operations Committee
By Supervisors Kennedy and Hsieh

Consideration Continued

[Public Works Contracts]

Ordinance amending Administrative Code, providing that city departments may reject the bids of prime contractors when they or their subcontractors are not signatories to a recognized apprenticeship program or do not contribute funds to the California Apprenticeship Council or do not possess the necessary experience and financial qualifications or do not possess or cannot obtain the necessary equipment and permits to perform the contract; small business exemption to apprenticeship requirement. (Supervisors Kennedy, Maher)

Monday, April 17, 1989

File 97-88-29, Ordinance No.

(Amends Section 6.47.)

Supervisor Nelder, seconded by Supervisor Walker, moved to continue consideration to May 15, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

From Governmental Operations Committee
Without Recommendation

Consideration Continued

[Salary Standardization Ordinance]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County, San Francisco Community College District and San Francisco Unified School District whose compensations are subject to provisions of Sections 8.400, 8.401 and 8.407 of the Charter; effective July 1, 1989. (Civil Service Commission)

File 106-89-1, Ordinance No.

President Britt announced this item has been continued since March 20, 1989, and asked the Mayor's Office to give us a status report on the negotiations.

Mr. Jeff Sloan, Employee Relations Division, reported that the Board of Supervisors, by motion, on March 27, 1989, extended the deadline until May 1, for passage of the Salary Standardization Ordinance for miscellaneous employees. In order to accomplish that the Board has to hold its first reading of the Salary Standardization Ordinance by Monday, April 24, 1989. He further stated that the Employee Relations Division is still in the process of negotiations and have reached tentative agreement with some of the unions. On Monday they will be providing amendments to the Salary Standardization Ordinance for first reading.

Supervisor Walker, seconded by Supervisor Nelder, moved to continue consideration to April 24, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

Monday, April 17, 1989

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

(Supervisor Hallinan dissenting in Committee.)

[Government Funding]

Ordinance appropriating \$6,000, Board of Supervisors, for other fixed charges (City's share of phase one to obtain State consideration of an amendment to the State Constitution, undertaken by County Supervisors Association of California), for fiscal year 1988-89. (Controller)

File 101-88-99, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 9.

Noes: Supervisor Hallinan - 1.

Absent: Supervisor Kennedy - 1.

[Government Funding]

Ordinance appropriating \$33,698, Police Department, for program project budget (Safe Anti-Drug Program). (Controller)

File 101-88-100, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Grant of Easement]

Ordinance authorizing grant of 2,240 square foot easement over Bay Division Pipeline Nos. 1 and 2 right-of-way being portion of Parcels 1222(5) and 1224(6) located in the City of Newark, Alameda County, to the City of Newark for public street purposes. (Real Estate Department)

File 82-89-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Monday, April 17, 1989

Absent: Supervisor Kennedy - 1.

Adopted

[Flower Show and Budget]

Resolution authorizing County Fair and Flower Show to be held in 1989; approving budget and authorizing approval of premium schedule; authorizing the Recreation and Park Department to apply for, accept and expend \$75,000 from the State Department of Food and Agriculture. (Recreation and Park Department)

File 86-89-1, Resolution No. 265-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

Passed for Second Reading

[Flower Show and County Fair Agreement]

Ordinance approving an agreement with San Francisco Flower Show, Inc., to conduct the San Francisco Fair and Flower Show at the County Fair Building at Ninth Avenue and Lincoln Way in Golden Gate Park on August 24, 1989 through August 27, 1989; companion measure to File 86-89-1. (Recreation and Park Department)

File 86-89-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Parking Facilities-Prevailing Wages]

Ordinance amending Administrative Code, to provide for payment of prevailing wages to persons performing work or labor in the operation and maintenance of public parking facilities. (Supervisors Gonzalez, Nelder)

File 97-89-9, Ordinance No.

(Amends Section 6.36.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

Monday, April 17, 1989

[Hold Harmless Agreements]

Ordinance amending Administrative Code, authorizing the Fire Commission to enter into hold harmless agreements with owners of buildings scheduled for demolition for the purpose of conducting training exercises. (Fire Commission)

File 97-89-10, Ordinance No.

(Adds Section 1.25-5.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Governmental Operations Committee

Passed for Second Reading

[Airport-Concession Lease]

Ordinance approving "The California Products Shop Lease" between the partnership of Donald Chin, Jayne Chew and Mary Lee DBA Lakeshore Liquors and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-89-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Disclosure of Improper Government Activities]

Ordinance amending Administrative Code, establishing improper government activities unit and protecting employees who disclose improper government activities. (Supervisors Kennedy and Ward)

File 97-89-6, Ordinance No.

(Adds Sections 16.400 to 16.404.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

Monday, April 17, 1989

[1989 Joint Fundraising Drive]

Ordinance amending Administrative Code, establishing the schedule for the conduct of the annual joint fundraising drive by amending the schedule to provide later deadlines for filing applications to participate and for designating participating agencies for the 1989 annual drive only. (Governmental Operations Committee)

File 162-89-1.1, Ordinance No.

(Amends Section 16.93 4.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Terminal Revenue Sharing Agreement]

Ordinance approving the Terminal Revenue Sharing Agreement between China Ocean Shipping Company and the City and County, acting by and through the Port Commission. (Port Commission)

File 173-89-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Rules Committee

Adopted

[Appointments]

Resolution confirming Mayor's appointment of members to the War Memorial Board of Trustees for six-year terms ending January 2, 1995. (Rules Committee)

File 33-88 11, Resolution No. 262-89

(Francesca Naify, vice Krikor Krouzian, term expired;
Chrysanthi Leones, vice Frederick Campagnoli, term expired;
Ethel Davies, vice Darrell Salomon, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

Monday, April 17, 1989

[Appointment]

Resolution appointing member to the Delinquency Prevention Commission for a four-year term ending December 31, 1992. (Rules Committee)

File 92-88-45, Resolution No. 271-89

(Newton Jue Lam, vice Dr. Gordon Juan, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Appointment]

Resolution appointing member to the Hazardous Materials Advisory Committee, for the four-year term ending July 1, 1991. (Rules Committee)

File 92-88-49.1, Resolution No. 272-89

(E. Seth Ligon III, vice Michael Coffey, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Appointment]

Resolution appointing member to the Veterans Affairs Council, for a four-year term ending January 31, 1993. (Rules Committee)

File 92-88-65, Resolution No. 273-89

(Mark Buell, vice Ron Perez, Category 4.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Appointments]

Resolution appointing members to the Advisory Council to the Commission on the Aging, for two-year terms ending March 31, 1991. (Rules Committee)

File 92-89-2.1, Resolution No. 266-89

Monday, April 17, 1989

(Arthur Hurwith, vice himself, term expired;
Roberta E. Carter, vice herself, term expired;
Mary O'Connor, vice herself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto,
Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Appointment]

Resolution appointing member to the Airport Noise Committee, for
three-year term ending September 30, 1990. (Rules Committee)

File 92-89-9, Resolution No. 267-89

(Barbara Sahn, member, Department of City Planning.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto,
Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Appointment]

Resolution appointing member to the Airport Noise Committee for
unexpired portion of term ending September 30, 1990. (Rules
Committee)

File 92-89-10, Resolution No. 268-89

(Charles Kroupa, vice Mary Jane Staymates, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto,
Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Appointments]

Resolution nominating members for appointment by the Mayor to the
Citizens Advisory Committee on Elections, for the four-year terms
ending May 16, 1993. (Rules Committee)

File 92-89-13, Resolution No. 269-89

(Samson W. Wong, vice himself;
Martha Gillham, vice herself;
George Mix, vice Leonel U. Monterey, term expired.)

Monday, April 17, 1989

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Appointment]

Resolution ratifying the Mayor's appointment of the firm of Manatos and Manatos as the Federal Legislative Representative for the City and County of San Francisco. (Supervisor Britt)

File 92-89-19, Resolution No. 270-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

REPORTS OF COMMITTEES

Recommendation of Governmental Operations Committee

Adopted

[Grant - State Funding]

Resolution authorizing the Director of Public Works to apply for and accept up to \$8,673,950 from the State of California for roadway work on City streets in accordance with a grant program created by Senate Bill 140.

File 148-89-2, Resolution No. 275-89

Supervisor Hsieh presented as recommendation of Governmental Operations Committee.

Supervisor Maher, seconded by Supervisor Gonzalez, moved that the Board finds that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

Adopted by the following vote:

Monday, April 17, 1989

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

John Bryant;
Roy Brown.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-16, Resolution No. 253-89

(Edward Chow, member, Health Commission, May 4 - 7; Jim Foster, member, Health Commission, April 24 - May 7; Peter M. Jamero, Executive Director, Human Rights Commission, April 28 - 30; Pius Lee, member, Police Commission, April 29 - May 7; Victor G. Makras, Vice President, Board of Permit Appeals, April 13 - 17; Frances McAteer, Vice President, Recreation & Park Commission, April 27 - May 5; Isadore Pivnick, member, Human Rights Commission, May 29 - June 10; Frederick F. Postel, Chief of Fire Department, April 17 - 19; Arlo Smith, District Attorney, May 4 - 5; Donald R. Stephens, member, Airports Commission, April 17 - 22; Patricia Underwood, member, Health Commission, April 17 - 19, 1989).

Adopted.

[Proclamation]

Resolution urging his Honor, the Mayor, to declare the day of June 25, 1989 as "Korean War Memorial Day". (Supervisor Walker)

File 4-89-10, Resolution No. 254-89

Adopted.

[Proclamation]

Resolution urging the Mayor to designate May 1 through May 7, 1989, as "Older Americans Abuse Prevention Week" in San Francisco. (Supervisor Britt)

Monday, April 17, 1989

File 4-89-11, Resolution No. 255-89

Adopted.

[State Legislation]

Resolution urging passage of Senate Bill 1221, relating to raising refund value on beverage containers which fail to achieve a 65 percent recycling level to five cents. (Supervisor Walker)

File 12-89-9, Resolution No. 256-89

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Nelder, Walker, Ward - 8.

Absent: Supervisors Hongisto, Kennedy, Maher - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Golden Gate Pavilion Special Fund]

Ordinance amending Administrative Code by adding Section 10.117-82 establishing a Golden Gate Pavilion Special Fund for the acceptance and expenditures of monies received to restore and maintain the Golden Gate Pavilion. (Supervisor Hongisto presented.) Referred to Finance Committee.

File 97-89-15

[Permit]

Resolution granting revocable permission to Koll Construction Company to temporarily occupy a portion of Steuart, Spear or Folsom Street during construction operations at the Hills Plaza Project (Block 3744, Lot 1).

File 10-89-2.1

Supervisor Gonzalez presented for immediate adoption.

Supervisor Gonzalez, seconded by Supervisor Nelder, moved that the Board finds that the need to take action arose subsequent to the publication of the calendar.

Monday, April 17, 1989

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

On objection of Supervisor Hsieh, referred to Governmental Operations Committee.

Referred to Board

[AB90 Funds]

Resolution urging the Governor to restore AB90 Funds and cancel the proposed 55 percent in cuts which provide diversion, prevention and intervention services to high risk youth. (Supervisor Hallinan presented.) Referred to Board April 24, 1989 Immediate Adoption Calendar.

File 12-89-10

Referred to Committee

[HIV Testing - Immigration]

Resolution opposing HIV antibody testing for immigrants and urging the Immigration and Naturalization Services to grant waivers to legalization applicants who are HIV positive. (Supervisor Britt presented.) Referred to Human Services Committee.

File 13-89-7

[Inter Agency Task Force on Housing and Transit]

Substitute resolution creating an inter-agency task force to study housing and transit in the central waterfront area located between Islais Creek and the southern boundary of Mission Bay. (Supervisor Maher presented.) Referred to Land Use Committee.

File 196-89-1

Requests for Hearings

File 7-89-3. By Supervisor Nelder: To consider scheduling and timely weekday performance of the Number 30 Stockton bus line of the Municipal Railway. Referred to Public Works Committee.

File 19-89-8. By Supervisor Hongisto: To consider establishing yellow zone for loading and unloading purposes on the corner of Bryant Street and Ritch Alley. Referred to Public Works Committee.

File 126-89-2. By Supervisor Maher: To consider enacting legislation waiving condominium inspection fees for non-profit organizations (exempt housing built by non-profit corporations used exclusively for the benefit of the clients of the corporation). Referred to Public Works Committee with request it be heard as soon as possible.

Monday, April 17, 1989

File 207-89-4, By Supervisor Hongisto: To consider feasibility of establishing police sub-station in the Visitacion Valley area. Referred to Human Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Nelder, that City Attorney draft appropriate legislation finding that the City recognizes the dangerous situations created by unkept public passageways and assumes the responsibility of cleaning the sidewalks on commercial streets.

By Supervisor Nelder, that City Attorney draft appropriate legislation which makes it mandatory that members of the City Retirement System shall have their contributions paid with pre-tax dollars in accordance with IRS rule 414-H.

By Supervisor Nelder, that City Attorney prepare appropriate legislation which would allow hours paid for assigned work performed by San Francisco Unified School District employees in Classification numbers 3593, 3594, 3596, 8203 and 9976 shall be considered a full work day for purposes of inclusion in the City Retirement System and the Social Security System, notwithstanding the fact that performance of such work may be in more than one of the above classifications on the same day.

By Supervisor Nelder, that City Attorney prepare appropriate legislation which would mandate that certificated staff of the San Francisco Unified School District and the San Francisco Community College District who are members of the City Retirement System and whose "school year/working year" qualifies them for one year credit towards retirement in all years other than the retirement year, shall not have benefits reduced by retiring on the day after the last day of the school year.

By Supervisors Walker, Gonzalez and Ward, that letters be sent to State Legislative Advocate, State Legislative Delegation, Federal Legislative Advocate and Federal Legislative Delegation concerning article in the April 17, 1989 issue of the New York Times entitled, "States Not Using U.S. Antidrug Money" and requesting that each addressee take all necessary actions to ensure that the proposed \$87 million for California will not be lost.

By Supervisor Walker, that City Attorney draft appropriate legislation to implement the recommendation of the report of the Mayor's Task Force on the Commission on the Status of Women.

By Supervisor Maher, that City Attorney draft appropriate legislation which would exempt non-profit organizations from condominium inspection fees when building housing used exclusively for the benefits of the clients of the corporation.

By Supervisor Kennedy, that letter of welcome be sent to Amnesty International, which has moved its national campaign office to San Francisco.

Monday, April 17, 1989

By Supervisor Kennedy, that letter be sent to Reverend William Anthony Guthrie welcoming him as rector of St. Cyprian's Church.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Terry Sutton (Supervisor Britt)
Carlos J. Cruz (Supervisor Britt)
Abbie Hoffman (Supervisor Britt)
Alden Yates (Supervisor Maher)

File 2-89-16

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 2:53 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, April 17, 1989

Approved by the Board of Supervisors on August 7, 1989

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors



Vol. 84

No. 17

Monday, April 24, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

DOCUMENTS DEPT.

NOV 21 1989

SAN FRANCISCO
OFFICE OF THE CLERK

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 24, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Hallinan, Kennedy, Nelder, Walker - 6.

Noted absent at first roll call:

Supervisors Gonzalez, Hongisto, Hsieh, Maher, Ward - 5.

Quorum present.

Supervisor Gonzalez on official leave of absence.

Supervisor Hongisto on official leave of absence.

Supervisor Hsieh was noted present at 2:11 p.m.

Supervisor Maher was noted present at 2:07 p.m.

Supervisor Ward was noted present at 2:20 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Walker, moved that the Journals of Proceedings for Monday, December 5 and December 12, 1988, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Kennedy, Maher, Nelder, Walker - 7.

Absent: Supervisors Gonzalez, Hongisto, Hsieh, Ward - 4.

Monday, April 24, 1989

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$33,698, Police Department, for program project budget (Safe Anti-Drug Program). (Controller)

File 101-88-100, Ordinance No. 128-89

Finally passed.

[Grant of Easement]

Ordinance authorizing grant of a 2,240 square foot easement over Bay Division Pipeline Nos. 1 and 2 right-of-way being portion of Parcels 1222(5) and 1224(6) located in the City of Newark, Alameda County, to the City of Newark for public street purposes. (Real Estate Department)

File 82-89-4, Ordinance No. 122-89

Finally passed.

[Flower Show and County Fair Agreement]

Ordinance approving an agreement with San Francisco Flower Show, Inc., to conduct the San Francisco Fair and Flower Show at the County Fair Building at Ninth Avenue and Lincoln Way in Golden Gate Park on August 24, 1989 through August 27, 1989; companion measure to File 86-89-1. (Recreation and Park Department)

File 86-89-2, Ordinance No. 123-89

Finally passed.

[Parking Facilities-Prevailing Wages]

Ordinance amending Administrative Code, to provide for payment of prevailing wages to persons performing work or labor in the operation and maintenance of public parking facilities. (Supervisors Gonzalez, Nelder)

File 97-89-9, Ordinance No. 125-89

(Amends Section 6.36.)

Finally passed.

Monday, April 24, 1989

[Hold Harmless Agreements]

Ordinance amending Administrative Code, authorizing the Fire Commission to enter into hold harmless agreements with owners of buildings scheduled for demolition for the purpose of conducting training exercises. (Fire Commission)

File 97-89-10, Ordinance No. 126-89

(Adds Section 1.25-5.)

Finally passed.

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Javier Aparicio-Tello, et al., against the City and County by payment of \$9,500. (City Attorney)

File 45-89-14, Ordinance No. 180-89

(United States District Court No. C85-8260 WWS.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of George Aragon against the City and County by payment of \$10,000. (City Attorney)

File 45-89-15, Ordinance No.

(United States District Court No. C87-2841 SC.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Dianna Hale v. Chevron U.S.A., Inc., Chris T. Azcona, et al., upon receipt of \$3,212.41; and authorizing release of lien. (City Attorney)

File 46-89-4, Ordinance No.

(Superior Court No. 865-533.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Steven Edmonds v. Thomas Ibelli, John Acmoody, et al., upon receipt of the sum of \$41,373.09; and authorizing dismissal of complaint. (City Attorney)

File 46-89-5, Ordinance No.

Monday, April 24, 1989

(Superior Court No. 861-174)

Passed for second reading.

Adopted

[Acceptance of Gift]

Resolution accepting a gift of computer equipment, software and support services from Apple Computer, Inc., in an amount not to exceed \$50,000 for use by the Public Library. (Public Library)

File 38-89-7, Resolution No. 294-89

Adopted.

[Acceptance of Gift]

Resolution accepting a gift of 2,200 videotapes from Video West Productions valued at approximately \$25,000 for use by the Public Library. (Public Library)

File 38-89-8, Resolution No. 295-89

Adopted.

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Jose Argumedo by payment of \$7,150. (City Attorney)

File 48-89-1, Resolution No. 297-89

Adopted.

Recommendations of Governmental Operations Committee

Finally Passed

[Airport-Concession Lease]

Ordinance approving "The California Products Shop Lease" between the partnership of Donald Chin, Jayne Chew and Mary Lee DBA Lakeshore Liquors and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-89-4, Ordinance No. 121-89

Finally passed.

[Disclosure of Improper Government Activities]

Ordinance amending Administrative Code, establishing improper government activities unit and protecting employees who disclose improper government activities. (Supervisors Kennedy and Ward)

Monday, April 24, 1989

File 97-89-6, Ordinance No. 124-89

(Adds Sections 16.400 to 16.404.)

Finally passed.

[1989 Joint Fundraising Drive]

Ordinance amending Administrative Code, establishing the schedule for the conduct of the annual joint fundraising drive by amending the schedule to provide later deadlines for filing applications to participate and for designating participating agencies for the 1989 annual drive only. (Governmental Operations Committee)

File 162-89-1.1, Ordinance No. 129-89

(Amends Section 16.93-4.)

Finally passed.

[Terminal Revenue Sharing Agreement]

Ordinance approving the Terminal Revenue Sharing Agreement between China Ocean Shipping Company and the City and County, acting by and through the Port Commission. (Port Commission)

File 173-89-3, Ordinance No. 130-89

Finally passed.

Adopted

[Parking of Vehicles]

Resolution extending boundaries of Residential Permit Parking Area "T" in the Forest Hill area and adding Dewey Boulevard, between Montalvo Avenue and Woodside Avenue, north side, to the list of streets upon which time limitations shall apply. (Department of Public Works)

File 40-89-6, Resolution No. 296-89

Adopted.

[Lease Extensions]

Resolution authorizing the extension of four existing leases of real property for Public Utilities Commission. (Real Estate Department)

File 64-89-10, Resolution No. 299-89

Adopted.

Monday, April 24, 1989

[State Disability Insurance]

Resolution authorizing enrollment of Classifications 3642 Coordinator, Adult Services, 3670 City Librarian, 1544 Secretary, Library Commission, 3640 Coordinator, Children's Services, 3668 Assistant City Librarian, 9744 Staff Assistant VI--Special Projects and 7358 Patternmaker in the State Disability Insurance Program. (Employee Relations Division)

File 89-89-3, Resolution No. 300-89

Adopted.

[Grant - Private Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Public Health Nursing, to apply for, accept and expend a grant of \$5,000 from the March of Dimes for Public Health Nursing services to women using crack cocaine who are pregnant or have delivered. (Mayor)

File 146-89-18, Resolution No. 301-89

Adopted.

Recommendations of Public Works Committee

Adopted

[Stop Intersections]

Resolution designating certain intersections as "Stop" intersections. (Public Works Committee)

File 18-89-6, Resolution No. 292-89

(Stop Signs - Establish

47th Avenue and Pacheco Street, southeast and northwest corners, stopping 47th Avenue;

Desmond Street and Visitacion Avenue, southeast and northwest corners, stopping Desmond Street (makes this an all-way Stop);

Lee Avenue and Grafton Street, northeast and southwest corners, stopping Grafton Street (makes this an all-way Stop).)

Adopted.

[Parking Regulations]

Resolution enacting and rescinding parking regulations, various streets. (Public Works Committee)

File 19-89-6, Resolution No. 293-89

(4-Hour Parking Time Limit, 7 A.M. to 6 P.M., Monday through Friday - Establish

Jerrold Avenue, both sides, between Phelps and Quint Streets;

Monday, April 24, 1989

No Parking Any Time - Establish

Berry Street, north side, between 3rd and 4th Streets;

No Parking Any Time - Rescind

Berry Street, south side, between 3rd and 4th Streets;

One Hour Parking Time Limit, 7 A.M. to 6 P.M. Everyday - Establish

Harrison Street, east side, from 15th Street to 169 feet northerly, (169 foot zone).)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Kennedy, Maher, Nelder, Walker - 7.

Absent: Supervisors Gonzalez, Hongisto, Hsieh, Ward - 4.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Finally Passed

(Supervisor Hallinan dissenting in Committee.)

[Government Funding]

Ordinance appropriating \$6,000, Board of Supervisors, for other fixed charges (City's share of phase one to obtain State consideration of an amendment to the State Constitution, undertaken by County Supervisors Association of California), for fiscal year 1988-89. (Controller)

File 101-88-99, Ordinance No. 127-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Kennedy, Maher, Nelder, Walker - 6.

Noes: Supervisor Hallinan - 1.

Absent: Supervisors Gonzalez, Hongisto, Hsieh, Ward - 4.

From Governmental Operations Committee
Without Recommendation

Monday, April 24, 1989

Passed for Second Reading as Amended

[Salary Standardization Ordinance]

Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County, San Francisco Community College District and San Francisco Unified School District whose compensations are subject to provisions of Sections 8.400, 8.401 and 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, ((:)) effective July 1, 1989. (Civil Service Commission)

File 106-89-1, Ordinance No.

Supervisor Walker, seconded by Supervisor Kennedy, moved an amendment of the whole entitled, "Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County, San Francisco Community College District and San Francisco Unified School District whose compensations are subject to provisions of Sections 8.400, 8.401 and 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1989".

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Gonzalez, Hongisto, Ward - 3.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Kennedy, Maher, Nelder, Walker - 7.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Gonzalez, Hongisto, Ward - 3.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$33,205, Asian Art Museum, for permanent salaries and related mandatory fringe benefits; rescinding \$11,153 from mandatory fringe benefits. (Controller)

File 101-88-102, Ordinance No.

Passed for second reading by the following vote:

Monday, April 24, 1989

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Gonzalez, Hongisto, Ward - 3.

[Government Funding]

Ordinance appropriating \$1,009,971, Retirement System, for worker's compensation, for fiscal year 1988-89. (Controller)

File 101-88-103, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Gonzalez, Hongisto, Ward - 3.

[Government Funding]

Ordinance appropriating \$104,928, Community Mental Health Services, for medical services contract and membership dues; rescinding \$16,160 from medical services contract, for fiscal year 1988-89. (Controller)

File 101-88-104, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Gonzalez, Hongisto, Ward - 3.

[Public Health membership]

Ordinance amending Administrative Code, authorizing the Department of Public Health to acquire and maintain membership in the California Conference of Local Mental Health Directors. (Finance Committee)

File 101-88-104.1, Ordinance No.

(Amends Section 16.6-10.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Gonzalez, Hongisto, Ward - 3.

Monday, April 24, 1989

[Government Funding]

Ordinance appropriating \$19,184, Social Services, for medical program project budget (Aid to Homeless); rescinding \$19,184 from permanent salaries, miscellaneous, for fiscal year 1988-89; providing for retroactive payment. (Controller)

File 101-88-105, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Gonzalez, Hongisto, Ward - 3.

Consideration Continued

[Health Service Board]

Ordinance amending Administrative Code, approving Health Service System plans and rates of contribution, as adopted by the Health Service Board. (Health Service Board)

File 97-89-11, Ordinance No.

(Amends Section 16.157.)

Supervisor Walker, seconded by Supervisor Kennedy, moved to continue consideration to May 8, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Gonzalez, Hongisto - 2.

Adopted

[Patient Rates]

Resolution filing rates for services furnished by City and County health care institutions and rescinding Resolution No. 683-86. (Department of Public Health)

File 186-89-5, Resolution No. 302-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Gonzalez, Hongisto, Ward - 3.

Recommendation of Joint Finance/Human Service Committee

Monday, April 24, 1989

Adopted

[Needs Assessment Report]

Resolution accepting Jail Needs Assessment and Major Needs Assessment, Part II, Architectural Studies, and authorizing their submittal to the State Board of Corrections for approval. (Supervisor Walker)

File 195-89-1. Resolution No. 276-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Gonzalez, Hongisto, Ward - 3.

Recommendations of Governmental Operations Committee

Adopted

[Extension of Time]

Resolution extending time for award of Department of Public Works contract and ratifying award of contract (Opera House, Water piping). (Department of Public Works)

File 61-89-1. Resolution No. 298-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Gonzalez, Hongisto, Ward - 3.

[Street Vacation]

Resolution declaring intention of Board of Supervisors to vacate a portion of Crescent Avenue westerly of Alemany Boulevard; and setting the hearing date on May 30, 1989, at 3:00 p.m., for all persons interested in the proposed vacation. (Department of Public Works)

File 198-89-3. Resolution No. 303-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Gonzalez, Hongisto, Ward - 3.

Recommendations of Human Services Committee

Consideration Continued

[Sale and Possession of Assault Weapons]
Ordinance amending Police Code, to prohibit the sale and possession of assault weapons. (Supervisors Hongisto, Gonzalez, Ward, Alioto)

File 121-89-1, Ordinance No.

(Adds Article 35A.)

Supervisor Walker, seconded by Supervisor Kennedy, moved to continue consideration to May 8, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Gonzalez, Hongisto, Ward - 3.

Adopted

[AB 65 - AIDS Discrimination]
Resolution supporting AB 65 (Vasconcellos and Hayden) and urging the Mayor to direct the City's Lobbyist to urge the State Legislature to pass AB 65 concerning AIDS. (Supervisor Britt)

File 12-89-5, Resolution No. 290-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Gonzalez, Hongisto - 2.

Recommendations of Public Works Committee

Adopted

[Van Pools and Commuter Buses]
Resolution providing an exemption for van pools and commuter buses to operate on Davis Street between California and Market Streets. (Department of Public Works)

File 200-89-1, Resolution No. 281-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Gonzalez, Hongisto - 2.

Monday, April 24, 1989

[Taxicab Stands]

Resolution rescinding location of taxicab stands, various locations. (Department of Public Works)

File 15-89-2, Resolution No. 291-89

(Taxicab Stands - Rescind

18th Street, south side, 7 feet west of Castro Street to a point 14 feet westerly;

Bush Street, north side, 14 feet east of Polk Street to a point 15 feet easterly.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Gonzalez, Hongisto - 2.

Refused Adoption

[Permit]

Motion disapproving decision of Director of Public Works granting permission to occupy a portion of the sidewalk area for concrete stairs with handrails, three (3) concrete retaining walls and a driveway ramp at 139 - 24th Avenue. (Public Works Committee)

File 24-89-1

Refused adoption by the following vote:

Ayes: Supervisor Maher - 1.

Noes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Nelder, Walker, Ward - 8.

Absent: Supervisors Gonzalez, Hongisto - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

[Public Hearing]

Hearing of persons interested in or objecting to the proposed vacation of a portion of a public sewer easement north of Winston Drive and quitclaiming the City's interest to the property owner in exchange for a new easement. (Department of Public Works)

File 82-88-11

(Pursuant to Board of Supervisors Resolution No. 195-89 approved March 24, 1989.)

Monday, April 24, 1989

The privilege of the floor was granted to the following person:
Representative, Stoneson Development Corporation.

From Governmental Operations Committee
Without Recommendation

Passed for Second Reading

[Vacation of Public Sewer Easement]

Ordinance ordering vacation of a portion of a public sewer easement north of Winston Drive and quitclaiming the City's interest to the property owner in exchange for a new easement, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 82-88-11.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Nelder, Walker, Ward - 8.

Absent: Supervisors Gonzalez, Hongisto, Maher - 3.

COMMITTEE REPORTS

Recommendation of Governmental Operations Committee

Adopted

[Permit - Hill Plaza Project]

Resolution granting revocable permission to Koll Construction Company to temporarily occupy a portion of Steuart or Spear Street during construction operations at the Hills Plaza Project (Block 3744, Lot 1). (Supervisor Gonzalez)

File 10-89-2.1, Resolution No. 289-89

Supervisor Hsieh presented as recommendation of Governmental Operations Committee.

Supervisor Maher, seconded by Supervisor Alioto, moved that the Board finds that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Gonzalez, Hongisto - 2.

Monday, April 24, 1989

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Gonzalez, Hongisto - 2.

Recommendation of Public Works Committee

Passed for Second Reading

[Subdivision Fees]

Ordinance amending Subdivision Code Section 1315 to exempt certain housing built by nonprofit organizations from subdivision checking and processing fees. (Supervisor Maher)

File 126-89-2

Supervisor Kennedy presented as recommendation of Public Works Committee.

Supervisor Maher, seconded by Supervisor Kennedy, moved that the Board finds that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Gonzalez, Hongisto - 2.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Gonzalez, Hongisto - 2.

PUBLIC COMMENT

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the Public Comment portion of the meeting closed.

IMMEDIATE ADOPTION CALENDAR

Monday, April 24, 1989

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-17, Resolution No. 282-89

(Mayor Art Agnos, April 29 - May 12; Philip Armour, member, Commission on the Aging, April 18 - 23; Harry G. Britt, President, Board of Supervisors, April 26 - May 1; Thad Brown, Tax Collector, April 22 - May 1; Leonard Graff, member, Human Rights Commission, April 19 - 22, May 16 - 20 and July 14 - 23; Anne Halsted, member, Port Commission, April 29 - May 12; Willie B. Kennedy, member, Board of Supervisors, April 28 - 30; Arlene M. Sauser, Chief Adult Probation Officer, April 1 - 5; Donald R. Stephens, member, Airports Commission, April 29 - May 4; L.A. Turpen, Director of Airports, April 20 - 23; Raymond Weisberg, M.D., member, Retirement Board, April 26 - 27, May 12 - 13 and 19 - 21; Douglas Wong, member, Port Commission, April 29 - May 12, 1989.)

Adopted.

[AB90 Funds]

Resolution urging the Governor to restore AB90 funds and cancel the proposed 55 percent in cuts which provide diversion, prevention and intervention services to high risk youth. (Supervisor Hallinan)

File 12-89-10, Resolution No. 284-89

Adopted.

[Street Closing]

Resolution authorizing temporary street closing of portions of Dolores and Seventeenth Streets for the Conga Line AIDS benefit. (Supervisor Gonzalez)

File 42-89-9, Resolution No. 285-89

(Dolores Street, east side, between Twentieth and Seventeenth Streets, and Seventeenth Street, between Dolores and Harrison Streets, Saturday, May 27, 1989, from 12:00 noon to 2:00 p.m.)

Adopted.

[Street Closing]

Resolution authorizing temporary street closing of portions of Filbert Street for a neighborhood block party. (Supervisor Maher)

File 42-89-10, Resolution No. 286-89

Monday, April 24, 1989

(Filbert Street, between Divisadero and Broderick Streets,
Sunday, April 30, 1989, from 11:00 a.m. to 4:00 p.m.)

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Division of Mental Health, Substance Abuse and Forensic Services, to apply for a grant of \$4,000,000 from the State Department of Mental Health to develop a comprehensive inter-agency system for the delivery of mental health services to seriously mentally disordered adults and seniors. (Supervisor Walker)

File 146-89-20, Resolution No. 288-89

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Walker, Ward - 7.

Absent: Supervisors Gonzalez, Hongisto, Maher, Nelder - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Retirement Benefits]

Draft ordinance amending Administrative Code by adding Sections 16.61-1, 16.61-2 and 16.61-3 relating to "pick up" of employee contributions to the City and County Retirement System as authorized by Section 414(h)(2) of the Internal Revenue Code and adopting the limitations set forth in Sections 401(a) and 415 of the Internal Revenue Code. (Supervisor Britt presented.) Referred to Governmental Operations Committee.

File 97-89-17

Adopted

[Proclamation]

Resolution urging the Mayor to proclaim May 14-21, 1989 as Alcohol Related Birth Defects Awareness Week.

File 4-89-12, Resolution No. 283-89

Supervisors Hsieh and Alioto presented for immediate adoption.

Monday, April 24, 1989

Supervisor Kennedy, seconded by Supervisor Alioto, moved that the Board finds that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Gonzalez, Hongisto - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Walker, Ward - 7.

Absent: Supervisors Gonzalez, Hongisto, Maher, Nelder - 4.

Adopted

[State Budget]

Resolution opposing In-Home Supportive Services cuts proposed in the State Budget.

File 12-89-11, Resolution No. 277-89

Supervisor Kennedy presented for immediate adoption.

Supervisor Kennedy presented and, seconded by Supervisor Hsieh, moved that the Board finds that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Gonzalez, Hongisto - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Walker, Ward - 7.

Absent: Supervisors Gonzalez, Hongisto, Maher, Nelder - 4.

[State Budget]

Resolution opposing Medically Indigent Services Program cuts proposed in the State Budget.

File 12-89-12, Resolution No. 278-89

Monday, April 24, 1989

Supervisor Kennedy presented and, seconded by Supervisor Hsieh, moved that the Board finds that the need to take action arose subsequent to the publication of the Calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Gonzalez, Hongisto - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Walker, Ward - 7.

Absent: Supervisors Gonzalez, Hongisto, Maher, Nelder - 4.

[State Budget]

Resolution opposing Mental Health cuts proposed in the State Budget.

File 12-89-13, Resolution No. 279-89

Supervisor Kennedy presented for immediate adoption.

Supervisor Kennedy, seconded by Supervisor Hsieh, moved that the Board finds that the need to take action arose subsequent to the publication of the calendar.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Walker, Ward - 7.

Absent: Supervisors Gonzalez, Hongisto, Maher, Nelder - 4.

[Memorandum of Understanding]

Resolution approving the letter of understanding between SEIU Local 790 (paramedics) and the Department of Public Health, to authorize pilot program for flex time schedules.

File 93-89-5, Resolution No. 287-89

Supervisor Britt presented for immediate adoption.

Supervisor Walker, seconded by Supervisor Hsieh, moved that the Board finds that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Monday, April 24, 1989

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Gonzalez, Hongisto - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Walker, Ward - 7.

Absent: Supervisors Gonzalez, Hongisto, Maher, Nelder - 4.

[Grant Application, AB 3777]

Resolution urging letter be sent to Dr. Reiko Homma True, Ph.D., Deputy Director of Health, Mental Health, Substance Abuse and Forensic Services in support of the San Francisco Department of Public Health's application for AB 3777 grant funds.

File 146-89-20.1

Supervisor Walker presented for immediate adoption.

Supervisor Maher, seconded by Supervisor Kennedy, moved that the Board finds that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Gonzalez, Hongisto - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Walker, Ward - 7.

Absent: Supervisors Gonzalez, Hongisto, Maher, Nelder - 4.

Requests for Hearings

File 177-89-2, By Supervisor Hsieh: To review the City's ground water management plan and options for improving ground water utility. Referred to Public Works Committee with request it be heard at the next meeting.

File 209-89-2, By Supervisor Walker: To consider endorsing the Transportation Expenditure Plan prior to its submittal to Metropolitan Transportation Committee on June 1, 1989. Referred to Public Works Committee.

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File 214-89-1. By Supervisor Nelder: To consider a resolution recognizing the civic embarrassment caused by the proliferation of graffiti vandalism and supporting the creation of a graffiti education program. Referred to Human Services Committee.

File 214-89-2. By Supervisor Nelder: To consider development of City policy which would favor the Courts directing juvenile graffiti vandals into graffiti removal and education programs. Referred to Human Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter be sent to General Manager, Recreation and Park Department, relative to the baseball field adjacent to McLaren Park (Coffman Park) inquiring whether the concerns raised regarding unmowed grass and sodden and mushy outfield could possibly be caused by lack of use and lack of drainage and whether building a trench filled with gravel and 4" PVC pipe would make the field mowable and hence usable .

By Supervisor Kennedy, that letter of inquiry be sent to the Police Commission to determine whether a police koban may be installed in Visitacion Valley.

By Supervisor Kennedy, that letter be sent to Chief Administrative Officer inquiring why he has decided not to implement the crosstown tunnel component of the original master plan.

By Supervisor Kennedy, that letter be sent to Director of Public Works inquiring whether a schedule of undergrounding may be provided, including the original estimated date of commencement and the current projected date of undergrounding for each undergrounding district and whether a map indicating the whereabouts of such districts may be provided.

By Supervisor Nelder, that City Attorney draft appropriate legislation granting lease to the San Francisco Police Activities League for the Polytechnic High School Boy's Gymnasium, authorizing leaseholder to fund repairs deemed necessary, to upgrade the interior and to provide for repairs guaranteeing the seismic safety of the building and requesting City Attorney negotiate with any other agency involved.

By Supervisor Nelder, that City Attorney draft appropriate legislation creating uniform fee schedule for occupancy of all or portions of public streets during the facilitation of private development.

By Supervisor Nelder, that Budget Analyst respond to the following questions: Given that State law mandates all construction employees on a public works project be paid as journeymen at the wage prevailing for that task in the industry, with the exception of certified apprentices who are to be paid at a lesser wage rate which is also determined by the industry, and given that the prevailing

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wage for journeymen in the building trades is a \$30 per hour wage package, and that the comparable wage package for apprentices is \$12 per hour, and given that the industry standard in the building trades mandates that for every 4 journeymen on a specific project there shall be one apprentice employed, and all employers signatory to an apprenticeship agreement are bound by this standard:

1. Since the wages paid by a private contractor on a public works project which requires 20 employees will be less if the contractor is signatory to an apprenticeship agreement, what is the differential per 8 hour workday, per employee; per 8 hour workday, per five employees; per 8 hour workday, per 20 employees;

2. If the City is currently paying a contractor who is not signatory to an apprenticeship agreement \$100,000 less for a specific public works project than the amount estimated as the cost for the same job if performed by a signatory contractor; using the same number of employees (20); and if wages account for 50% of the contractors' costs on the project, how much less would the project cost the employer (and presumably the City) if the non-signatory contractor became signatory to an apprenticeship agreement and therefore subject to the above-described industry standards.

By Supervisor Nelder, that letter be sent to Director of Public Works requesting response to the following questions regarding street occupancy fee schedule: is the fee charged to all private developers for the occupancy of all or portions of public streets during the facilitation of private development; are there circumstances under which no fee would be charged to private developers for occupancy of all or a portion of public streets and when occupancy fees are charged, upon what basis is the amount determined.

By Supervisor Walker, that City Attorney advise as to legality of implementing sticker stamp system for Small Business Tax Registration.

By Supervisor Ward, that City Attorney draft appropriate legislation requesting the Chief of Police establish a special community relations and drug task force that would reflect the communities of Bayview Hunters Point and Sunnydale by being at least 80 percent Black and having representatives of all ethnic groups.

By Supervisor Hallinan, that City Attorney draft appropriate legislation which would confine existing gasoline stations to automotive uses and establish a moratorium on conversion of gasoline stations to other uses until such legislation is enacted.

By Supervisor Hallinan, that City Attorney prepare opinion whether oil companies which produce more than a specified quantity of gasoline can be prohibited from ownership and operation or required to divest ownership and operation of retail gasoline outlets.

By Supervisor Hongisto, that City Attorney provide opinion whether the federal forfeiture statute can be used in San Francisco to assist in evicting public housing tenants who are dealing illegal

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drugs and whether this federal law supercedes state and local laws. This law is currently being used in Chicago in collaboration with the U.S. Attorney's Office to seize apartments known to be used in drug-related activities.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

The men who died in the explosion on the U.S.S. Iowa
(Supervisor Ward on behalf of the entire Board);
Irene Nilan (Supervisor Nelder).

File 2-89-17

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:24 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

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Approved by the Board of Supervisors on August 14, 1989

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

No 23218 . 5

11/15

